NORTH AMERICAN REVIEW.

No. DXLI.

DECEMBER, 1901.

PREVENTION OF PRESIDENTIAL ASSASSINATIONS.

BY GENERAL LEW. WALLACE.

THE duty of doing something to stop the assassination of our Presidents is upon us heavily.

Undoubtedly, when the news of the shooting of Mr. McKinley went abroad, the people were like soldiers fired on while in careless march; their surprise bordered on panic—it was so complete and terrible. They went about in a kind of daze, asking each other: What kind of creature is it of a nature to do such a deed, at such a time, under such circumstances, making victim of such a man? Can there be others like him? Who and where are they? Fury succeeded the first overwhelm, then sorrow; and now that they are themselves they are spending their intelligence wondering what Congress will do, when the real question is—what Congress *can* do.

Within a few days I have put that *real* question to lawyers of good standing in their profession, casting it in this form: The people of the country are in lively expectation that Congress will do something to assure our Presidents against assassination—something adequate. Now, what can Congress do?

Many of them would meet the query with a serious look, give

Copyright, 1901, by THE NORTH AMERICAN REVIEW PUBLISHING COMPANY. All rights reserved.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

their brains a violent wrench—stop—then fall back behind the old entrenchment of the unready: "The point is new to me. I cannot recall any decision of application."

Some of the replies are of value, not specially for the legal illumination let go, but as indications of mental formations in process.

For example. "What can Congress do in the matter?" one asked, then answered: "Why, it can declare the assassination murder."

And I responded: "That would be merely cumulative. Czolgosz is about to be hung under a New York statute."

Another replied: "Congress can authorize Commissioner Powderly to double the guard at the immigrant gate, and, making the incomers prove themselves, separate the anarchists and return them."

And I answered: "Returning the anarchists upon Mr. Powderly's discovery would be an act short in comity to some Old World friend; besides, it would not be repressive of the anarchists already in domicile here. Still more, the anarchists are not all foreigners. Booth and Guiteau were natives born, and Czolgosz may be."

The same gentleman made another essay. "Congress," he said, "can give the President any number of soldiers to watch over him when he sleeps, and go with him when he goes abroad. For that matter, it can place an army of detectives at his service."

To which I in *riposte:* "Congress can impeach the President for official misconduct, but it cannot control him personally. It cannot bid him stay here or go there. Under pretence of a guard of honor, it cannot make him a prisoner. He is, in fact, the Executive Department, and in the province of discretion royally independent. Nor that merely. As Commander-in-Chief, it is already in his power to order the entire regular army of the United States to Washington, and encamp it around the White House."

Then I had to smile, for to the eyes of my fancy there rose a vision of the utterly impossible—a vision of Teddy the Strenuous about to go in search of a breath of sweet, outdoor air. The big, black horse so in his love is brought to the door; along with it comes a detachment of mounted guards, high-booted, sabred, and in far-flashing yellow splendor. Now the cavalcade

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

is starting. It stretches out in lengthened column. The Strenuous looks back over it, and asks himself: "What's this for?" His cheeks begin to burn, and feeling equal to his own salvation against any solitary anarchist in hiding somewhere on the road, he bids the chief of the escort: "Halt the guard. Now send it to quarters." And it is done, for the order is from the Commander-in-Chief direct. Then, while the Hero of Santiago pursues his way alone, he thinks the American thought: "The ways of the great and good Emperor William are for Germany; our American skies are not favorable to them. We are satisfied to patronize his beet sugar, without imitating his style of mustache or borrowing his idea of a nickel-helmeted bodyguard."

It should not be taken for granted, however, that Congress can do nothing to forward the object in discussion. True, it cannot make assurance absolute; *that* it could not, though in league with all the political powers of the earth; still there are resorts open to it.

It can, in the first place, make an annual appropriation of money, to be at the President's disposal without accounting, amply sufficient to enable him to maintain a secret service to look after his safety. So, without loss of dignity, without personal humiliation, without conceding anything to the devices of imperialism, without any change in the social relations which have been of such kindly existence between himself and the people since the government began, he can make his security as nearly absolute as devotion and detective genius can contrive and accomplish.

Congress might make itself useful, in the next place, by a reform of the regulations governing the admission of emigrants into the United States, the object being to separate the desirable from the undesirable of all classes, Anarchists and Nihilists in especial. An act for the purpose is of easy invention. It should contain these features:

1. One designated port of departure for emigrants in every country with which our government is in relation.

2. An *American* Consul resident at the designated port of departure, to whom the proposing emigrant must apply for a passport.

3. The Consul to make issuance of the passport dependent upon the proposing emigrant proving himself within the conditions prescribed by Congress.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

4. Leaving at the port of entry (there should be but one) in the United States, a single inquiry: Is the person presenting the passport the identical person to whom it was issued?

5. Every one not possessed of the required passport to be returned whence he came by the vessel bringing him, unless held for cause.

There is yet another auxiliary service in the power of Congress, and because it appears to me the most important, I have reserved its consideration for the last. It is to set in motion an amendment to the definition of treason against the United States.

In that definition but two treasonable acts are recited—levying war against the United States, and adhering to its enemies, giving them aid and comfort; conviction in both cases to depend upon an overt act testified to by two witnesses, or confession in open court. The definition is good so far as it goes; but I respectfully submit that it does not go far enough to cover necessities of the present time newly risen.

It is not to be supposed our fathers did not know in what treason consisted under the old English statutes; they were born and bred to them; yet when they were called on to make a definition of the crime suitable to their own independent state, they limited it to the two acts stated. With them conspiracies against the *King* and *compassing* (thinking about) his death, were familiar history; they seem, however, never to have thought of taking care of the life of the *President* of their own creation; much less that in their free America a day would dawn hideous with open proselyting in aid of societies founded upon assassination as a means of promoting an era of Chaos. In other words, Nihilism and Anarchy were in a sense unheard of by the fathers who made the Constitution, except as incidents of Hell in *Paradise Lost.* Indeed, there are a great many things of to-day, things good and things bad, which were not in the knowledge of our forbears, wise as they were; but because they were ignorant of the good, shall we not enjoy them? Because they did not anticipate the bad, shall we go on submitting to them? They discerned their conditions, and were faithful to them; why should not we study ours?

In criminology, upon the discovery of a new crime the first step is to give it a degree, the object being to arrive at a just penalty. Let us pursue the method now. Anarchy differs from Revolution (when the latter drops into the status of offense) in this:

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

As respects government, Revolution aims merely at substitution; while Anarchy proposes the doing away with all government. One should have no difficulty in deciding which of the two outranks the other.

Then as to murder. It seldom involves more than one victim, and in cases is justifiable. It has, also, by implication at least, somewhat of the element of fairness. As a rule, it is an incident of daylight. Provocation and passion attend it, and not unfrequently notice. Anarchy, on its side, is a seeking to make common merger of all human rights, meaning their total destruction, and to plunge mankind *en masse* into a maelstrom of confusion. Its motto is: Down with Law! Away with Order! It moves to its work out of darkness. Ambush and treachery are components of its strategy. Its primary war is with society, which has its foundations in political organization; hence the blow at the King or the President. In the nature of things its active agents and heroes must always be assassins. Other differences might be mentioned; the point being, however, to determine its degree as a crime, it seems to me enough is given. That is to say, Anarchy, could it be accomplished, would be the sum of all crimes; for which reason it should have first place in the catalogue.

Lifting Anarchy thus from an atrocious principle into the highest possible crime against society and the State, the first impulse is to say there is no commensurate penalty for it. Passion dictates death with torture when assassination is present; but civilization and Christianity both rise to the reproof of passion. Then directly it dawns upon us that we cannot do better than reform our definition of treason, and stop there; for of punishment there is nothing permitted us beyond the death of the criminal; besides which, since the day of the Roman, all the nations have been in agreement that treason is the highest crime possible of commission against sovereignty.

Nothing remains for consideration, then, except the form of the amendment. Obviously the points to be covered, or, in legal phrase, the evils to be remedied, should be allowed to control. The definition of treason is at present as follows:

"Treason against the United States shall consist only in levying war against them, or in adhering to their enemies, giving them aid and comfort. No person shall be convicted of treason unless on the testimony of two witnesses to the same overt act, or on confession in open court. The Congress shall have power to declare the punish-

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

ment of treason, but no attainder of treason shall work corruption of blood or forfeiture except during the life of the person attainted."

Should the ideas submitted commend themselves, it may be of service to suggest amendments substantially in form:

Treason against the United States shall consist:

1. In levying war against them, or in adhering to their enemies, giving them aid and comfort.

2. In feloniously taking or attempting to take the life of the President of the United States, or of the Acting President.

3. Agitation, conspiracy, or organization to subvert the government of the United States, or to hinder or obstruct its operation shall be treasonable; and for the suppression of such acts the Congress shall have power to do whatever it may judge requisite.

In the first and third cases Congress may declare the punishment; in the second case the punishment shall be death.

In the first case, no person shall be convicted of treason unless upon the testimony of two witnesses to the same overt act, or on confession in open court.

No attainder of treason shall work corruption of blood or forfeiture except during the life of the person attainted.

Permit me to remark, in conclusion, that with the foregoing amended definition in force the government would never again be compelled to sit helplessly by, knowing a conspiracy is making ready to destroy it.

In the next place, should Congress be of opinion that it is needful to unite with other Powers for the obliteration of Anarchy, it would have authority to do so—something not now clearly possible.

LEW. WALLACE.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

THE NEED OF NATIONAL LEGISLATION AGAINST ANARCHISM.

BY SENATOR J. C. BURROWS.

No question of greater importance can devolve upon the Congress during its approaching session than the enactment of laws dealing with and looking to the suppression of the crime of anarchy in the United States. Heretofore, we have generally closed our eyes, seemingly, to the danger to the republic lurking in the presence of this monster. Possibly, it required such an occurrence as the terrible tragedy at Buffalo to bring the matter home to the Government with sufficient force to insure legislative action. In a general sort of way, we have been convinced of the necessity of doing something to hold the disciples of anarchy in check. We knew the institution and its followers as singularly hateful and especially abhorrent in a land of equal rights and universal liberty. The assassination of men and women practised by these fanatics under other governments shocked the whole civilized world, and every law-abiding American was in full sympathy with all efforts to suppress the evil and punish the criminals. But our execrations had in them something impersonal, something remote, relating to the feelings of others rather than our own, and the horror called forth by such events abroad as the murder of the Empress of Austria quickly gave way to the press of other affairs of domestic concern. Even the Haymarket slaughter in Chicago failed to rouse us except to the extent of awakening a general desire and hope that justice would be swiftly meted out to the malefactors. When the anarchists were tried, condemned and hanged by the Cook County authorities, the outraged feelings of the people were temporarily satisfied, and the demand for general national legislation against the whole body of anarchists infesting this country, which mani-

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

fested itself in localities, again subsided. Men who saw deeper into the matter, who pointed out the fact that the Chicago affair was only the manifestation of a disease which if permitted to spread would infest the whole country, and should therefore be eradicated root and branch, were looked upon as alarmists, and their admonitions slightly regarded. The paragraphers in the newspapers soon fell into their old habit of treating anarchy in the United States as an innocent ghost and its adherents as a body of free-thinking, harmless fanatics. In this state of mind we continued until one of these "harmless fanatics" struck down at Buffalo the best-beloved man who has ruled over this country since Abraham Lincoln. It was a terrible awakening.

Without reflecting in the least on President McKinley's immediate predecessors, it will be conceded that the loss of no other man who has occupied the executive chair would have been felt so much in a personal sense by the mass of our citizens. His gentleness, his wisdom, his patriotism, his splendid domestic fidelity, his unvarying cheerfulness had made him the friend of every one with whom he came in contact. The hundreds of thousands who had heard him speak at one time or another were charmed by his magnetic personality. McKinley had but to show himself anywhere to carry away the hearts of all beholders. Even the stress of politics, fatal to so many, left no evil wishers behind. It is of record that Mr. McKinley had almost as many friends among the active Democrats as among Republicans, and with Republicans he was a popular idol. His concern for the workingman's welfare was made manifest on every occasion. All his efforts were directed towards securing the highest pay and shortest hours for the toilers, and the laboring people, realizing this, and in appreciation of the magnificent results he had achieved for them, almost worshipped him. Altogether, he was a man who in theory and in practice stood for the best interests of all the people as he understood it, and for everything that was praiseworthy and progressive in our national life.

In this tragedy at Buffalo there were none of the conditions that made the assassination of Lincoln at least understandable. There was not even the pretext of a reason, such as encompassed the shooting of Garfield. Not the wildest stretch of imagination could conceive any betterment for the masses in Mr. McKinley's taking off. He simply fell a victim to the unreasoning propa-

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

ganda of murder. The assassination was inspired by the pernicious teachings of the men and women who are the avowed enemies of all government, and who seek, through the bloody instrumentality of assassination to accomplish their anarchistic purposes.

It remains to be seen whether this crime, striking so near to the nation's heart, shall at last give some effect to the efforts so often made to secure legislation against its perpetrators and advocates; for, after all, the man who fired the shot at the President was the least of the criminals. The men and women who egged him on by their teaching and preaching were far more guilty than he. Without them he would never have been inspired with his mad design. President McKinley would be alive to-day had these others, who have not even been molested, but permitted to continue their teachings, been dealt with in the first instance as their criminality deserves.

It is astounding, and in the light of the present most regrettable, that all efforts made in the past to legislate against the anarchist have been frustrated. The punishment of every other class of evildoers is provided for under National or State laws. The severity of our national criminal laws is proverbial. Their relentless execution is so well known among the professional lawbreakers that few venture to transgress them. Whatever the chances of evading State laws and State authorities, every criminal knows that the United States authorities are merciless and tireless, that the strong arm of the federal power pursues and reaches to the uttermost corners of the earth, and that neither time nor money is spared to bring a malefactor to justice. If perchance experience teaches that any mesh in the criminal web is weak or defective, there has never been any hesitation to promptly strengthen and improve it. The laws necessary for such purpose are passed almost without debate, certainly without unnecessary delay. That is, in every case except anarchy. Here there is a gap of monstrous proportions in our political and legal structure. We have neither preventive nor punitive laws. Yet it hardly required the shooting of Mr. McKinley to arouse the nation to the realization of the fact that the anarchists are the most dangerous criminals we have to deal with in this country to-day. The burglar, the thief, the highwayman and the ordinary murderer are dangerous only in a narrow sense. They threaten

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

none of our institutions. The anarchists, on the contrary, are dangerous in a national view. They are a greater menace than open treason or armed rebellion, because no man may estimate their numbers, compass their plots or foresee the places or times of attack. The killing of President McKinley was as unexpected as it was unjustifiable. Any man who had prophesied the crime an hour before it occurred would have been listened to with an incredulous smile. It is this feature of anarchism that makes its existence so appalling, and demands the most drastic measures for its suppression and destruction. If one fanatic can rise out of the earth, as it were, without warning, and, regardless of consequences, shoot the President at a time when all the conditions are least alarming, then it is not unreasonable, or at least not impossible, to suppose that other fanatics might at the same time, by concert of action, strike down the Vice-President and all others in line of succession to the Presidential office. That is anarchy's dream—the wiping out of all authority and all government. In view of the past, it is idle to suppose there are not a multitude of anarchist's disciples who would cheerfully "martyr" themselves to accomplish this dream. Here in the United States, as matters stand to-day, they have a better opportunity than almost anywhere else in the world to attain the realization of such a dream. Under a monarchy the governmental head never dies. The executive power descends down the line, and the line is endless. With us it descends from the President to the Vice-President, and down through the members of the Cabinet, and there it stops, the last in the line being the Secretary of Agriculture. With us ten lives stand between order and chaos, between government and anarchy, between the condition that is essential to the preservation of society and the condition hoped and prayed for by the men and women to whom we grant the privilege of assembling in our public places under the red flag, and enunciating doctrines such as these:

"I look forward with a great deal of joy and satisfaction in the hope that ere long the scenes that were enacted in Paris will be enacted in New York, and that the streets of New York will be covered with dead bodies, and the gutters will flow with blood and the houses will be a burning mass."

This was not the raving of a madman in an asylum, nor the whispered wish of a conspirator in a dark corner. It was the utterance of a man sane and powerful enough to sway an audi-

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

ence of applauding thousands, and was proclaimed openly from the speaker's platform at a publicly advertised meeting. The author, as principal speaker of the evening, was addressing a gathering assembled in Cooper Union, New York, on March 17th, 1890, to celebrate the anniversary of the Paris Commune. Every leading newspaper in the city had a reporter present, and the speech was printed *in extenso*. The hall was lined with police "to preserve public order," and all of them heard distinctly this satanic deliverance. It was afterward embraced in a report presented by the Select Committee on Immigration and Naturalization of the Fifty-first Congress, and appears on page 583 of that report. This one public utterance should be ample argument, if any were needed, for a national law that would enable the United States to deal directly with such disturbers of the public peace and enemies of law and order. The State authorities, it was said, could do nothing. The man was simply exercising his privilege of "free speech." It was not license, but "liberty," even under the laws of the State of New York, which are probably stricter in this regard than those of any other State. There the authorities have succeeded now and then in ridding themselves temporarily at least of anarchists by sending them to prison under the provisions of a law against "unlawful assembly" and "inciting to crime." Johann Most and Emma Goldman were both convicted under these statutes.

In the past it has been suggested that the States could very well be left to deal individually with this crime, and the example of New York in successfully sending Most and Goldman to prison has been quoted in support of this contention. It is due probably in no small measure to this argument that we have today no national legislation against these enemies of law and order. Yet the futility of State legislation is shown by the confession of the President's assassin that he was inspired by Emma Goldman's writings and lectures to commit his dastardly crime. As soon as the woman came out of her short imprisonment she wandered off to other States where she was free to infect the people at will with her doctrines of murder and social disorder. Such protection is no protection at all. We all know the futility of looking for uniform legislation by the States on any subjects of great importance. While New York has some stringent laws that may be applied to anarchists who fulminate against the

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

State, Illinois has practically none. In consequence, Chicago has for years been a perfect pesthouse of anarchy. Such a condition is worse than would be the entire absence of restrictive laws in all States, as it adds to the contempt and impudence of the anarchists if they can defy the authorities of one commonwealth by simply moving across the border and carry on their propaganda from that safe retreat. The only certain cure for the evil is national legislation. The stronger we can make such legislation within the bounds of the Constitution, the better for our people and their institutions. There is but little danger that we may go too far. The danger to be apprehended is rather that we shall not be able to go far enough because of our solicitous regard for the fundamental principles of popular government. Already we hear the cry that we must be careful, lest, in attempting to deal with the anarchists by drastic measures, we deal a blow at the foundations of our republican institutions, free speech and liberty of the press. All are anxious to preserve these essentials of free government. If they were seriously menaced or impaired, the offence might be greater even than the one committed at Buffalo, horrible as that was. But, fortunately, we may deal with anarchy on a reasonably effective basis, without infringing in the least the rights of free speech and an untrammelled press. All we need do is to use common sense; to mark well the difference between liberty and license; to hunt down relentlessly those who either by speech or in print abuse the freedom granted by our laws; to silence the men and women who come to this country from abroad to spread the doctrine that all government is wrong and should be destroyed, and that all rulers are criminals and should be killed.

Legislation making this possible under constitutional safeguards has frequently been attempted in Congress during the past ten or fifteen years, but for some reason it has always failed of consummation. There are a number of bills buried in the archives of the National Capitol, which, had they been enacted into law, would almost certainly have prevented the tragedy which so recently startled the nation. These bills were chiefly preventive. They provided for the exclusion and deportation of foreign-born anarchists wherever found entering or within our borders. True, the man who killed Mr. McKinley was a native-born American, and could not have been touched by these measures; but had we

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

had laws such as these in force, he would not have required attention. All the testimony at the man's trial showed that he was a peaceable, law-abiding citizen until his mind was poisoned by the teachings of Emma Goldman and other imported anarchists. He would never have dreamed of murdering the Chief Executive of the nation had our laws permitted us to silence the teachers who changed him from a law-abiding citizen to a murderer and outcast. He was not a man of original initiation. He was simply a weak, susceptible creature who was carried away by the ravings we permitted him to listen to in the name of "free speech." And so it is always. The instruments that carry out the doctrines advanced by the leaders would rarely degenerate into dangerous persons if deprived of their inspirers, the men and women who feel that with us they are at liberty to play upon the passions of men and infuriate their dupes to the point of killing, without imperilling their own necks or jeopardizing their own liberty.

There was a measure introduced in the Fifty-third Congress, in 1894, which, had it been enacted into law, would have probably prevented the Buffalo murder. Had it been passed, Emma Goldman would have been deported to her birthplace, Russia, long before she had had an opportunity to convince the McKinley assassin that the murder of a President is a divine duty. Most would have been sent back to Germany, where the authorities are anxiously waiting to lay hands on him, and the whole horde of foul conspirators and agitators who would tear down the social structure we have so carefully erected would have followed suit. The anarchist nests at Paterson, New Jersey, at Chicago and elsewhere would have been broken up, and we would not find ourselves to-day in the position of locking the stable door after the horse is stolen. The bill I refer to was known as the "Hill Bill." It was one of a class of similar measures that have been introduced in Congress from time to time, whenever the anarchist question was forced on our attention by one of the atrocious crimes which have made the name of anarchy infamous among men. I single this bill out because it came nearer to final passage than any other measure, and shows the trend of legislative thought at that time on this question. After passing the Senate without opposition and being reported favorably to the House by the unanimous vote of the Committee on

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

the Judiciary of that body, it was finally sidetracked by the capricious action of a single member.

This bill was approved, if not drawn, by one of the greatest lawyers in the country, John G. Carlisle, who was Secretary of the Treasury at the time of its introduction. It was revised by another great lawyer, Mr. Olney, then serving as Secretary of State. Its sponsor was Senator David B. Hill, then Chairman of the Senate Committee on Immigration, and it had the strong endorsement of Senator Chandler, who, as Chairman of the same committee for several terms preceding, had gone very extensively into the subject. The bill embraced all the best features of a large number of bills that had been introduced for years before, including several by Mr. Chandler himself. It was based in a large measure on the results of the extensive investigation made by the Select Committee of the two Houses in 1890 (House Report No. 3492), from which I have already made a quotation, and on Senate Report No. 1333, submitted by the Senate Committee on Immigration to the Fifty-second Congress, second session, February 22d, 1893. All questions of partisanship seemed to be eliminated in the matter. Republicans and Democrats were practically a unit on the question of the desirability of the bill, which had been drawn to meet the conditions arising from the wanton assassination of President Carnot in France, which sent us the usual horde of anarchists driven out of every other country by police activity. With all these considerations in its favor, the bill still failed, and it may be worth while to trace its course and the reason for its failure from the files of the Congressional Record, that we may see exactly how and why it was defeated. The bill was offered for final passage in the Senate by Mr. Hill on August 16th, 1894, after it had been agreed to by a Conference Committee representing both houses. Part of the colloquy that followed shows that any objection to the bill, sweeping as it was in its terms, that might exist was not that it went too far, as some of our friends to-day seem to fear we may go, but that it did not go far enough. So good an American and stickler for constitutional liberty as the late Senator Sherman is reported as saying (page 1,035, Congressional Record, unbound copy of August 17th):

Mr. SHERMAN. "When this bill or a similar bill was before the Senate the other day, on the motion of the Senator from New York

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

there was a provision inserted that when any person had come into our country and had been naturalized, if it could be proven before the proper tribunal that he was not a man of good moral character, that he was not attached to the Constitution and principles of our Government, and was not disposed to the good order and happiness of the same, he should be deported. That language is omitted from this bill, and I do not see why it should not be contained in it."

Mr. HILL. "By the provisions of this bill, in the first place, if an alien immigrant should be convicted of a crime and the judge should determine upon a further hearing that the person had been guilty of a crime involving moral turpitude, and that his presence in the country would be a menace to the Government and the peace and good order of society, he may be ordered deported. It was thought wise by the conference committee not to use the words 'attached to the principles of the Constitution of the United States,' as it left too much open. As the man is an alien, of course it is not expected that he will be attached to the principles of our Constitution. An alien who behaves himself in this country would not and could not be touched under this bill, and we do not propose to do it."

* * * * * * * * * *

Mr. SHERMAN. "But it does seem to me that every person who has been admitted under our immigration laws ought to be required to stand by the declaration we require for admission; and if it be proven afterward that he is not a man of good moral character, that he is not attached to the principles of our Government, and is not disposed to the good order and peace of the same, he ought to be excluded."

Mr. HILL. "We do not touch the citizen who is naturalized. We do not think it wise to go so far as that."

Mr. SHERMAN. "I see no reason why persons who are brought into our country under our naturalization laws should not only prove at the time they are admitted that they come within its provisions, but that they should maintain that condition, or else be liable to be deported."

Mr. HILL. "I will simply say, as has been said heretofore in regard to other bills, that it is a step in the right direction. Sooner or later we may adopt the idea, which is an entirely good one, of the distinguished Senator from Ohio, but it is a little too early to do it now."

Mr. CHANDLER. "I wish to say that it was not deemed advisable by the committee to provide that every alien should be deported whom we would not be willing to naturalize and make a citizen of.

"This bill was drawn in the Treasury Department, and has been subjected to very careful scrutiny. It may not go so far as the Senator from Ohio would like to go, but it is an excellent bill, which has been carefully rewritten by the Senator from New York [Mr. HILL], the chairman of the Committee on Immigration, and there has been inserted by the committee a provision in reference to the writ of habeas corpus, which effectually guards any alien against being deported without all the proceedings which result in the order of deporting being carefully reviewed by a judicial tribunal.

"The bill is stringent enough for the time; it is sufficiently well guarded, and it is of the highest importance, in the opinion of the

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

committee, that it should be passed without delay and sent to the House of Representatives, where we are assured it can be immediately acted upon."

* * * * * * * * * *

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

The above quotations from this debate are particularly instructive and should be read with exceptional care. If experience teaches anything, we have certainly arrived at the period when we ought not alone to pass such a bill as was submitted, but to go even further, by adopting the further provision advocated by Mr. Sherman for the deportation of alien anarchists, even after they have become citizens. European governments that are troubled with these people do even more than this.

The measure came up in the House the same day that it passed the Senate, but was withdrawn on objection to unanimous consent,* and referred to the Committee on Judiciary. That committee reported unanimously in its favor, and on August 22d its sponsor, Mr. Boatner, of Louisiana, called it up, asking unanimous consent for its immediate consideration. Then followed the debate† that killed it in that session, which was drawing rapidly to a close.

Mr. WARNER (John Dewitt Warner of New York). "Mr. Speaker, I must object to the consideration of that bill in its present form."

Mr. BOATNER. "I desire to make a brief statement with regard to this bill, and I trust the gentleman will not object until he hears it."

Mr. WARNER. "If the bill is to be amended, the amendments can be proposed and arranged before we are plunged into a discussion of the measure."

Mr. BOATNER. "Mr. Speaker, this bill has the approval of the Secretary of the Treasury and of the Secretary of State. It was unanimously reported by the Committee on Immigration of the other House; it was passed by the Senate unanimously, and it has been reported unanimously by the Committee on the Judiciary of this House."

Mr. WARNER. "My objection is not that the bill does not have good sponsors, but that in its present shape, it is a bad bill. It is more likely to make anarchists than to punish them."

Mr. BOATNER. "A word further, if the gentleman will permit me. The Administration also urges the very great importance of passing this bill at the present session of Congress, owing to the fact that we are advised that a large number of the most dangerous anarchists in the world are now on their way to the United States, and that at this time there is no law on the statute books which prohibits the landing of an anarchist in this country."

*Cong. Record, Aug. 17, unbound copy, pages 10,066, 10,067 and 10,068.
†Cong. Record, Aug. 22, unbound copy, pages 10,265 and 10,266.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Mr. WARNER. "And this bill does not even define the anarchy which it proposes to punish."

Mr. BOATNER. "Just a moment. According to authority which is equal to that of the gentleman from New York, all rights of those who are charged with being anarchists are safeguarded and taken care of in this bill.

"For these reasons, I appeal to the gentleman not to put his judgment and opinion against the opinion and views of so many who are interested in this measure, which they regard as necessary for the maintenance of public order."

Mr. WARNER. "Whenever it is proposed to put into the hands of administrative officers such powers as this bill proposes that they shall employ against so large a number—hundreds of thousands—of persons who are now in this country legally, and permits them to do this without what I consider proper safeguards, I must, without regard to the backing that the bill may have, object to its consideration in this form. The gentleman himself knows that this bill should be amended; and he knows that the proper method of procedure is to prepare the amendments and have them carefully considered before we plunge into a discussion of the subject in this House."

Mr. McMILLIN. "Does not the gentleman from New York [Mr. WARNER] know that there are now five hundred anarchists on their way to this country, the description of whom has been furnished to officers of the Government?"

Mr. WARNER. "No amount of panic can scare the 'gentleman from New York' into putting into the hands of an administrative officer the detection and punishment of a crime which is not even defined in the measure which proposes to punish it by deportation. Nor will the 'gentleman from New York' be scared by any other kind of panic into providing patronage for twelve men at $2,500 a year."

Mr. OATES. "Allow me just a moment. The gentleman's objection is that anarchy is not defined in the bill. Does he not know that where a word or term is used in a statute without definition, it always takes on its usual or common-law definition?"

Mr. WARNER. "Does not the gentleman know that there is no definition of 'anarchy' to be found in the common law?"

Mr. OATES. "I think the gentleman is mistaken——"

Mr. WARNER. "Gentlemen inform me they have been looking for it, and can not find it——"

Mr. OATES. "And if not, the word would be construed according to its ordinary or dictionary signification."

Mr. WARNER. "The Superintendent of Immigration informs me that for several months he has been attempting to draw up a measure defining anarchy, and has not been able to do it."

Mr. BOATNER. "I suggest to the gentleman from New York that doubtless he will be able to support with enormous strength of argument the position which he now assumes and will be able to impress upon the House the necessity of adopting such amendments as he advocates. The best way to get a good law on this subject is to consent that this bill be considered; the gentleman can then bring to our assistance in perfecting the bill his great ability and large information. Unfortunately he is not a member either of the Judiciary Committee or the Committee on Immigration, and therefore we have not

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

had the benefit of his services in considering the measure in committee, but if he will consent to its consideration now by the House, members can be enlightened and a measure can be adopted which will reflect credit upon the gentleman from New York as well as the House."

Mr. WARNER. "If anything could induce the 'gentleman from New York' to do what he knows to be a foolish thing it would be the very persuasive suggestion of the gentleman from Louisiana. But I can not help thinking that by agreeing upon amendments which he may draft, in cool deliberation and with mature judgment, not in the heat of debate, we shall arrive at better results than by any crude suggestions in that direction which I might make at this time and under the present circumstances."

The SPEAKER. "Is there objection to the present consideration of the bill?"

Mr. WARNER. "I object."

This was the end of the bill. An attempt was made to revive it at the next session with some amendments, but by that time the immediate interest in the question caused by President Carnot's assassination had died out, and the effort failed.

Read by the grave in Canton that covers the remains of our martyred President, this debate in the House makes uncomfortable literature. But for the idle words then so lightly spoken, but so effective, Mr. McKinley might be in the White House to-day, instead of sleeping the eternal sleep.

In a different way, but by means not unlike those here recorded, all other attempts to secure anti-anarchistic legislation of a preventive character have hitherto failed. For instance, when the present immigration law, which went into force on March 3, 1891, was under consideration, there were a number of other measures in Congress along the same lines, all of which excluded anarchists. One of these bills (H. R. 58, Fifty-first Congress, second session) was reported favorably by the Committee on the Judiciary, through its Chairman, Mr. Oates, of Alabama. On page 2 of the committee's report (No. 3808) submitted February 14th, 1891, it is set forth:

"The first section of the bill under consideration prohibits from landing in the United States idiots, insane, paupers, persons liable to become a public charge, persons who have been convicted of felony or other infamous crimes, polygamists, *anarchists*, etc."

Though this bill came before the House under the most favorable auspices, it failed of enactment, and the bill passed in its stead which is now on our statute books, the law of March 3d, 1891 (H. R. 13586), carefully omitted to mention "anarchists"

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

among the class of undesirable aliens to be excluded. It confined the list to "convicts, lunatics, idiots and persons liable to become a public charge."

It is too lengthy a proceeding to go into the history of all the bills of this class that aimed at the exclusion and deportation of anarchists which have been presented in previous Congresses and failed. Efforts to this end began in 1888, nearly fourteen years ago. On January 4th of that year Representative Adams, of Chicago, introduced H. R. 1291, which provided for the "removal of dangerous aliens from the territory of the United States." Of course, his inspiration was the Haymarket affair. The bill was read a first and second time and referred to the Committee on Foreign Affairs and ordered printed. It was never heard of afterwards.

Senator Mitchell introduced a bill the year following, 1889 (S. 453), in the Fifty-first Congress, first session, "to prohibit objectionable foreign immigration, encourage desirable immigration, defend American institutions and protect American labor." This bill provided:

"That from and after the passage of this act it shall be unlawful for any person, a subject of any foreign government, as well as those who are now within the limits of the United States, and who may hereafter leave the United States and attempt to return, as those who have never been here, or having been here, have departed from the United States, who is an avowed anarchist or nihilist, or who is personally hostile to the principles of the Constitution of the United States, or to the form of government of the United States; or who is an idiot, etc., to land in any of our ports."

This section, apparently reasonable enough, was violently attacked at the hearing before the Select Committee of the Fifty-first Congress, twice before alluded to. On page 25 of this committee's report (House Report No. 3472) Mr. Rosewater, editor of the *Omaha Bee* one of the witnesses, declared:

"It shows to what an unreasonable extent some men would go in their idea to Americanize, as they call it, all our institutions. Right there let me say they do not Americanize them, but they do just the opposite."

Mr. Rosewater was animated by the most laudable feeling undoubtedly, but he fairly voiced the sentiment of those who are always so apprehensive that our position as the asylum for the oppressed may be imperilled, that they go in the other direction.

In the Fifty-second Congress those who held true to the de-

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

sire to get rid of anarchists went on with the work. Senator Chandler, as Chairman of the Committee on Immigration, submitted "Report 1333, to accompany Senate Bill 3786," to the Senate on February 22d, 1893. On page 2 of this report, which advised the passage of the bill, the committee said:

"The third exclusion is that of 'persons belonging to societies which favor or justify the unlawful destruction of property or life.'

"It may be difficult to detect immigrants belonging to such societies, but as the law now stands they can not be excluded even if they boldly admit that they are members of organizations whose purposes are to be accomplished by fire and dynamite, by murder and assassination. Under the proposed law, whatever sentiments an individual may entertain, he may come in if he does not belong to such an organized band; if he does, he ought to be kept out of this land of law, order, and peaceful methods."

This conclusion was not impeached by any one; no active opposition to the bill manifested itself, any more than it did in any other case; but, like every other bill that threatened the anarchist, it was permitted to sleep.

It is not the least remarkable thing about this phase of the subject that the men who introduced these bills were almost always among the most influential in their respective houses. The list includes such names as Hale, Hoar, Lodge, Milliken, McMillan, McCreary, Owen, Washburn, Quay and others already mentioned. That the spasmodic bills of new and inexperienced members might be regularly sidetracked without any special design is easily conceivable; but when the legislative efforts of such men as I have mentioned, made perseveringly, invariably meet with failure, there is almost room for believing that there is something besides mere accident to account for the disastrous result attending every attempt to pass preventive legislation against anarchists.

In the matter of punitive legislation, as distinguished from preventive, the opinion has been very generally expressed that Congress should and probably will pass a law that shall make an attack on the President, even if it has no fatal consequences, a capital offence punishable in the United States Courts. Practically every other government in the world has such a law. Our position has always been that the President is simply a man like all other men, and entitled to no greater protection than the humblest citizen. In theory, this is sound, democratic conclusion; and if we had only well balanced, moral, law-abiding people in the

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

country, it could very safely be left to stand as it is. Unfortunately, the facts are not in harmony with this theory, and the time has come when we ought to deal with the condition uninfluenced by mere sentiment. What are the facts? While the law holds the President to be simply a man as all other men, and classes attacks on him as it would an attack on the humblest citizen, yet it is known that the fatal blows aimed at our Presidents are not directed against them as men, but as rulers. Lincoln was shot, not because of a personal grudge, but because as President he had done those things in government that were obnoxious to a band of assassins organized to take his life. Garfield would in all probability be alive to-day if he had not been elected Chief Executive. The creature who murdered McKinley declared:

"I had no feeling against the President. I shot him because he was the ruler, and held such power as I do not think any man should have."

It was the government, not the individual, at which the blow was aimed. We should look this fact squarely in the face, and act accordingly, to safeguard the republic. We should enact a law making it not only a capital offence to attack the person of the President while President, but all others who stand in the line of succession as well. The Vice-President and the members of the Cabinet should be hedged about with like defences. The people are thoroughly aroused on this question, and the demand is general for prompt and effective action. Mere sentimentality must not stand in the way of effective legislation.

The first attempt at legislation of this character in recent years was made after the assassination of Garfield. Mr. Lapham, then Senator from New York, introduced a bill (S. 34) in the Forty-seventh Congress that provided:

"For the punishment of persons unlawfully attempting to take the life of the President of the United States, or others clothed by the Constitution and laws with the discharge of the duties of the office of President."

It read:

"Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

"That if any person or persons shall hereafter attempt by any means whatever to take the life of the President or Vice-President of the United States, or the President *pro tempore* of the Senate of the United States, or the Speaker of the Senate of the United States, or the Speaker of the House of Representatives of the United States, or of

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

any other person or persons who shall be authorized by law in any contingency to perform the duties of the office of President of the United States as provided in the Constitution of the United States, except under such circumstances as would render the attempt justifiable or excusable by the common law, such person or persons shall, on conviction, be punished by imprisonment for life, such imprisonment to be by solitary confinement or at hard labor, in the discretion of the Court."

Mr. Lapham was an excellent lawyer, one of the leaders of the New York bar, and any measure drawn by him is valuable in the suggestions it contains upon this subject. Of course, the Presidential succession has been changed since this bill was drawn, but otherwise it may very well stand as a guide, though I would make death the punishment for such an attack instead of imprisonment for life.

That our Presidents might be in special danger from anarchists was foreseen for years, but about the only attempt at legislation against this special class along these lines was in 1894. On June 25th of that year Representative William A. Stone introduced a bill in the Fifty-third Congress that attempted to define anarchists and provide for their punishment if they attempted in this country their favorite practice of bomb throwing, which is so general with them abroad. The bill read as follows:

"That any person or persons who shall belong to, or who shall be appointed, designated or employed by any society or organization existing in this or in any foreign country which provides in writing or by verbal agreement, understanding or countenance for the taking of human life unlawfully or for the unlawful destruction of buildings or other property where the loss of life would be the probable result of such destruction of property, shall be deemed an anarchist.

"2. That any person or persons being anarchists as defined by the first section of this act, who shall attempt the life of any person holding office, elective or appointive, or employed under the Constitution and laws of the United States, or who shall attempt the destruction of any building or buildings or other property where the loss of life of any such United States official or employee would be the probable result of such destruction of buildings or other property shall, upon trial and conviction of such offence in any circuit or district court of the United States of the district where such offence is attempted, be sentenced to death by hanging, which sentence shall be executed by the Marshal of the District in accordance with the sentence of the Judge before whom the case is tried."

This bill is interesting principally because of its attempt at defining the term "anarchist." This question has always been somewhat of a puzzle, and may have contributed materially to the invariable defeat of anti-anarchist legislation. It came up

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

at almost every hearing and discussion when efforts were made to frame suitable legislation. At the hearing before the Senate Committee on Immigration appointed to consider the "Proposition for the suspension of immigration for one year," sitting at Washington on April 23d, 1892, there was an instructive colloquy between the Chairman (Senator Chandler) and Mr. Lodge, then a member of the House of Representatives, who was called as a witness. On page 147, Senate Report 1333, it appears in full. I reproduce the following extract:

The CHAIRMAN. "The bill which you introduced excludes polygamists, anarchists, and nihilists. Polygamists were inserted in the law of last year, and I would like your impression as to anarchists or nihilists, and whether it is feasible to exclude such persons, ascertaining who they are and keeping them out."

Mr. LODGE. "I appreciate the difficulty that is always presented by any of these vague terms, general terms, and at the same time I think it would cover certain specific cases. I think those, for instance, who have taken part in the recent demonstrations in Paris, who were absolutely known to belong to anarchist societies and to believe in those doctrines, would come under the description in this bill. I think it is a description which is in several other bills."

The CHAIRMAN. "It is in bills which I myself have introduced, but the more I think of it the more difficulty I see in its enforcement."

Mr. LODGE. "'Nihilist' is somewhat vague, but the word 'anarchist' is pretty well defined just now."

The CHAIRMAN. "The word 'socialist' has been introduced in some bills. Do you think it would be wise to exclude them, describing them simply in that way?"

Mr. LODGE. "I do not think that is a class you can put in a bill."

The CHAIRMAN. "What on the whole is your impression?"

Mr. LODGE. "I think the term 'anarchist' is a proper one, because that refers to a class of persons who believe that the reform of society is to be brought about by blowing up their fellow-beings."

The CHAIRMAN. "Is it well to keep out of the country anybody on account of his beliefs?"

Mr. LODGE. "I should say an anarchist who was actively engaged or an avowed member of those societies. I believe that those who believe as does Ravachol are not fit to come into this country."

The CHAIRMAN. "How would it do to make that the test, 'members of societies of anarchists or nihilists?'"

Mr. LODGE. "That might be done."

When the Hill Bill, which passed the Senate, was up for discussion, the matter of defining an anarchist was threshed out at great length, and I must confess no very satisfactory conclusion was reached. Mr. Hill, in defending his bill,* gave the best definition he could, saying:

*Cong. Record, 53d Congress, 2d session, p. 9,697, unbound copy.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

"Mr. President, it is not proposed by this measure to make belief in anarchy a crime. Therefore it is not necessary by the express terms of the bill to define what anarchy is. No provision is made for an indictment; no provision is made for punishment; but provision is made that such a person known as an anarchist shall not land in this country, and if he does land, by certain proceedings to be taken by or through the Secretary of the Treasury that person may be deported.

"The first section of the substitute provides—

"That no alien anarchist shall hereafter be permitted to land at any port of the United States or be admitted into the United States; but this shall not be so construed as to apply to political refugees or political offenders.

"That last clause was deemed necessary so as to avoid all ques tion in regard to persons in other countries who are engaged in some proceeding to overturn one government in order to replace it with another.

"An anarchist, according to all well-defined definitions, does not believe in any civil government whatever. He cannot be a political refugee within the meaning of the statutes upon that subject. He believes in no form of civil or social government. He is a disturber of the peace of society. He believes in social chaos. He believes in having no government whatever with which to guide humanity. That provision which I have read is the first section of the bill."

Mr. Hoar thought this description somewhat "nebulous," and declared that he hoped "that the wit of committees, of members of legislative bodies, and of the American people may hereafter set itself to devising a substitute which may be better" (p. 9708).

"But," he concluded, "having stated these objections and confessing the great weight they have with me, I still say that if the committee come to us saying that is the best they can do, I am prepared to concur with them in passing the bill as a means of meeting the present evil and the present condition."

That we have the absolute right to exclude "anarchists," no matter how wide the difference of opinion as to the definition may be, cannot be doubted. That question has been definitely settled. Even so ardent an advocate of human rights as Mr. Hoar conceded this in his argument, saying (p. 9708):

"But I agree that we have the absolute right to exclude persons of other countries from coming here, and we have a right to put upon them the burden of showing their fitness, not merely in the light of their past conduct, but their fitness, judging them by their purpose, judging them by their opinions, judging them by the nature of their pursuits and thoughts, and the burden of showing that they come with safety and benefit to the country to which they come."

We have, finally, the authority of the Supreme Court, whose decision covering this point is cited in House Report No. 1460,

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

page 3. This decision was handed down in the case of Nichimura Ekin *vs.* The United States and Charles A. Garter, and it held:

"That every sovereign nation has the power, as inherent in sovereignty and essential to self-preservation, to forbid the entrance of foreigners within its domains, or to admit them only upon such conditions as it may see fit to prescribe. That the supervision of the admission of aliens into the United States may be intrusted by Congress to the Department of the Treasury. That the final determination of the facts in the case may be intrusted by Congress to executive officers, and in such a case, as in all others in which a statute gives a discretionary power to an officer to be exercised by him upon his own opinion of certain facts, he is made the sole and exclusive judge of the existence of those facts, and no other tribunal, unless expressly authorized by law to do so, is at liberty to re-examine or controvert the facts upon which he acted. That the decision made by the inspector of immigration in that case was final and conclusive, and that the petitioner was not unlawfully restrained of her liberty."

With the constitutional right and power to legislate upon this subject unquestioned, the American Congress will come far short of performing its duty or meeting public expectation if it fails to devise some measure to protect the republic from these assassins of civil government.

J. C. BURROWS.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

THE POWER AND DUTY OF THE FEDERAL GOVERNMENT TO PROTECT ITS AGENTS.

BY EDGAR ALDRICH, LL.D., UNITED STATES DISTRICT JUDGE FOR NEW HAMPSHIRE.

Czolgosz killed Mr. McKinley, not because he was William McKinley, but because he was President of the United States; not because of his personality, but because he represented the idea of law and government. The violence was directed against the official, rather than against the private individual; against the office, not the man. All the surrounding circumstances, as well as the admission of the assassin, show that personal malice, ordinarily present in crime, was altogether absent, and that malice against the idea of government was present. The motive for the fatal shot was not to destroy McKinley, except as a step in the direction of destroying the idea of government and law, which, for the time being, he represented as the head of the executive branch of the government. Mr. McKinley was the representative of the people in respect to their idea of government; and the blow being directed against the idea, it follows that the real crime was against the people and their government, rather than against McKinley as an individual.

The motive and the malice of such malevolents being thus impersonal *(malitia impersonalis)*, and against the idea of the restraint of government through law, the resulting impulse prompts the hand to be raised in deadly violence against any one who happens, through the suffrages of the electors, to be charged with the duty of administering the government. That is a most venomous and deadly motive. It at once involves a menace and a crime against the existence of the government. Those who, without personal malice, would raise the hand to kill a brother man because he is conscientiously administering a civilized govern-

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

ment, are few in number. Just how many there are is not known, but the time has come when the extent of this deadly impersonal malice should be known. If there are only a few who hold and carry it, let us know it, and make reasonable protection against them; if there are many, let that be known, that we may either yield to the deadly malice or deal with it sternly and resolutely.

Under our system, the government means nothing above or beyond the intelligent expression of the will of the people; and when the people ordain that a form of government shall exist for the protection of communities in accordance with the requirements of civilization, they assume the responsibility of upholding the institution which they have created. The government cannot administer itself except through its chosen agents, representatives or servants. These it must have in order to become operative for the purposes for which it is created. It lies with the people to create a government; they may, therefore, maintain it. The people cannot maintain a government without agents; they may, therefore, protect such agency through such legislation as the necessities arising out of a threatening evil or pending danger demand.

To justify such legislation it is not necessary to invoke the "general welfare" clause of the Constitution, which declares that Congress shall have power to "provide for the common defence and general welfare of the United States," because all governments necessarily possess the inherent power of self-defence, and such general inherent power of self-defence will justify all necessary and well ordered legislation for the protection of all necessary agents and representatives. While, as a general rule, civilization and communities receive protection from the State governments, the federal government does exist as an entity and for certain limited purposes expressed and contemplated by the Constitution; and, so existing, it may pass all laws necessary for its safety. It may declare violence upon its agents, servants and representatives to be a crime against its own existence. It may declare threatened violence to be a crime, because that involves conduct calculated to disturb the good order and well-being of its administration. In short, it may, without regard to the enumerated and defined offences of the old common law, throttle and control any evil directed against its existence or well-being. This is a necessary and inherent power. The doctrine of the right of

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

self-preservation is as ancient as law itself, and is based upon a natural right. The right of the government to defend, protect and preserve itself against whatever evil may threaten is a natural, inherent, fundamental, self-evident, incontrovertible, and paramount right.

The killing of William McKinley as a private citizen in Ohio, or as a transient inhabitant of any State, would be an offence exclusively against the laws of that State; but the killing of the incumbent of the Presidential office, because of the office and what it represents, may well be declared a crime against the existence of the federal government, because the government cannot exist without administration, and it cannot be administered in its present form without a President.

Thus far, Congress has undertaken to deal with murder only when committed by persons in the army in time of war, and when committed upon the high seas, or within the forts, arsenals, dockyards and districts under the exclusive jurisdiction of the United States, or upon the arms of the sea and the rivers and waters within the admiralty and maritime jurisdiction thereof, and out of the jurisdiction of any particular State; and this is for the reason that, as a general proposition, the offence of murder, under our system, is left to be regulated and dealt with by the State governments.

It is, quite likely, true that assumption by the federal government of general jurisdiction over actual and threatened murder of private citizens in the various States would be unwarrantable; still, while, as a general proposition, it rests with the States to deal with individual homicide, pure and simple, Congress may well declare it to be an offence against the general government to use the mails for the purpose of producing homicide, like sending poison through the mails, or the germs of infectious disease, for the purpose of spreading death and destruction; and this is upon the ground that the general government has inherent and unquestioned power to protect itself in the service which it undertakes to perform in the interests of civilization and for the benefit of the people. It is upon this ground that Congress has made it a crime to use the mails for the distribution of obscene literature and prints, and for gambling and other immoral purposes. Doubtless, if a mail carrier should be unlawfully killed within a State, the individual crime would be cognizable there; but the

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

general government might well declare it to be an offence to kill, or plot to kill, any or all of the mail carriers in the country, not because they are individuals, but because they are officials or servants charged with the operations of the general government in respect to a duty which the general government is expected, under the Constitution and the laws, to perform for the people. Larceny, as a general proposition, is an offence cognizable in the State courts; yet the general government may and does deal with it in respect to property used in its service and operations.

From a very early date, the federal government has assumed and exercised jurisdiction over crimes against the existence and operations of the government. Under title LXX. of the Revised Statutes (2d ed., 1878), page 1048, chapter five, under the head of "Crimes against the Operations of the Government," there are enumerated various offences against the service which the government performs, like counterfeiting coins and securities, bribery of officials, robbery of the mails, breaking and entering postoffices, and sending letters through the mails with intent to defraud. Some of these statutes were passed as early as 1823. A preceding chapter enumerates crimes against the existence of the government, in which such subjects were dealt with as early as 1790.

The old English statutes provide against assaults committed upon particular persons and in special places, like assaults upon legislators, clerical persons, and in places of worship, in places for state affairs, and in courts of justice. Mr. Bishop, in his work on criminal law, says the principles of these statutes and of the judicial decisions thereunder have come to us through the adoption of the common law. In recognition of this familiar principle, Congress, as early as 1790, enacted a law, which is now section 4062 of the Revised Statutes, making assaults upon public ministers, in violation of the law of nations, an offence against the government. Section 3869, passed in 1872, makes an assault upon a letter carrier in uniform a federal offence, and section 5398, found under the title of "Crimes against Justice," in the Revised Statutes, makes it a crime to assault an officer of the United States in serving a process. This statute was enacted in 1790. Therefore, if Congress may make it a crime to assault a foreign minister, a mail carrier, or a United States Marshal or his deputy, who are in the exercise of a public function, it may unquestionably make it a crime to kill such agents.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

In other words, it follows, without the enunciation of any new principle or doctrine, that if the government has power to protect its existence and its operations by declaring it to be a crime to bribe or to interfere with its servants and its operations, it may declare it to be a crime to destroy the servants necessary to inaugurate and carry forward the operations and service contemplated by the Constitution and the laws, and for which the government was created. So it may well be declared that the killing of a President for the purpose of destroying the effect, or disturbing or stopping the operations, of the government shall be a crime. It may also well be declared that plotting or conspiring to kill and destroy the agents and representatives necessary to the exercise of the functions of government shall be a crime. And, if it shall subsequently be found that at Paterson, or elsewhere within the federal jurisdiction, there are men who plot to destroy the government or its necessary servants or representatives, such offenders, upon conviction, may well be dealt with as criminals against the government and its operations. If it shall be found that there is, there or elsewhere, a school in which is inculcated the assassination of Presidents and others charged with the execution of the laws, not upon personal motives but because they are officials; if it shall be found that, for the same purpose, they teach how to shoot and where to shoot to make the shot fatal, or how to make and use powerful explosives for such destruction; or if it shall be found that they appoint persons from their number to kill, and designate the officials to be killed, and appoint alternates to act in case the persons so appointed shall fail, it would be justifiable, upon trial and conviction, to deal with such a nest and such offenders in such a way as would scatter them to the four winds; and, if deemed necessary for the protection of the people and the government, Congress may declare that, upon proper proceedings and conviction, those who plot to kill its servants and representatives shall themselves suffer death, nor need the law wait until the raised and threatening hand is red with the blood of the victim. In doing this, Congress only needs to invoke the ancient, fundamental, and familiar doctrine as to the right of self-defence.

It is not necessary to deal with the subject of anarchy historically, philosophically or theoretically. The situation presents a condition, not a theory. It is not necessary, in deciding whether

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

unlawful and premeditated killing is culpable and should be visited with commensurate punishment, or whether threatened unlawful and deadly violence should be restrained, to go back centuries to examine as to the cause, as was done by Mr. Charles Johnson in his article on the Anarchists and the President, published in the October number of this REVIEW. Violence and threatened violence against the operations of the federal government should be dealt with practically, as other crimes are dealt with. In the meantime, the duty is upon us to discover and remove the cause as speedily as possible. Fight the danger as you would fight a raging fire, subdue and control it, and then look for and regulate the cause.

All vice and crime are supposed to result either directly or remotely from unwholesome conditions, in which environment is a prominent element. Notwithstanding this, however, it remains a duty and a necessity that communities shall be protected against murder, rape, arson and other vices and crimes. It is not even necessary to stop to inquire what criminal impulse or what phase of degenerate and venomous malice it is that raises the hand in violence against a government founded upon principles of equal rights to all, and without personal malice carries the deadly dagger to a heart which beats in sympathy with the oppressed and unfortunate everywhere.

For the purposes of resolute and decisive action, it is enough to know that the impulse and the evil exist and that the danger threatens. It is not necessary to precipitate philosophical and theoretical discussion and argument by declaring against anarchy or socialism or freedom of speech, or to raise discussion as to an amendment of the provision of the Federal Constitution which declares of what treason shall consist. It is immaterial whether those who plot violence against the government are nihilists, anarchists, socialists or pretended saints. Violence against the government, or its necessary, lawful and constitutional representatives, may be declared a crime wherever found and by whomsoever inculcated or inspired, whether by anarchists or those who are not anarchists, whether by laymen or judges or heretics. Let the blow be directed against the violence and those who inspired it, whoever they are. Do not hazard the imperative call for immediate remedial legislation, or dissipate the chance of an effective remedy, by declaring against a class, or by declaring

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

who are within a certain class, but provide the required remedy by directing it against those who teach and practice deadly violence. Do not offend the beliefs of any reasonable man in respect to the right of freedom of speech and freedom of the press, guaranteed by the Constitution. Probably no one will claim, however, that the constitutional guaranty of freedom of speech and of the press goes to the extent of protecting persons in the open advocacy of the unlawful killing by violence of the necessary and constitutional agents and representatives of the government. It would be a strange argument which should hold that the constitutional provision as to freedom of speech was intended to justify the advocacy of violent and premeditated destruction of the constitutional President and necessary head of the government as fast as one after another shall be inducted into office. No one will claim that.

The general government may protect itself against the danger of threatened violence. It may through its Congress declare that persons who associate themselves together or assemble for the purpose of discussing or considering means for destroying persons charged with the execution of the federal laws shall be deemed guilty of conspiracy, and it may through its Congress provide such punishment as the dangers and exigencies of the situation demand.

As already said, the blow which killed Mr. McKinley was directed against the operations of the government; and while the premeditated killing of a President for such a purpose is murder, and an offence against the laws of the various States, the real and higher offence, the moral offence, is against the federal government, for the reason that the prime, indeed, the only, motive is to injure the government and the operation of its laws rather than the individual who happens to be the incumbent of the Presidential office.

This being so, it is within the unquestionable power of Congress to declare it to be a crime against the existence, purpose and operations of the federal government.

Thus far as to the power of the government, under the Constitution, to protect its existence and administration. Now what as to the duty?

The duty is plain. The question of duty is settled by a question which answers itself: Shall the government exist, and shall

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

it protect itself and its necessary Executive against unprovoked and deadly violence?

It should not only make actual violence a crime, but it should make threatened violence a crime. It should declare it to be a crime against the government to plot and teach how to destroy its instruments and agents of law and order. It should declare conduct of a character calculated to inspire unlawful violence a crime. It should not deal with any phase of the question in a spirit of vengeance, but it should deal with all of its phases in a spirit of stern resolution and courage, and with an unalterable determination that all things shall be done which are necessary to preserve and protect the government and its operations under the Constitution and the laws, and it should do all this to the end that all of its agents and every citizen and resident under its jurisdiction shall be secure in life and peace and protected in all their just rights.

The statement of a grievance fairly enough calls for some practical suggestion as to a remedy, and I therefore venture to present for discussion the following tentative draft of a bill relative to the conditions involved in the situation which confronts the American people:

Section 1. Any person or persons who shall intentionally kill, or who, with intent to kill, shall assault the President of the United States, the Vice-President thereof, or any person in the line of Presidential succession as fixed by the Constitution or laws of the United States, shall, upon conviction thereof, be punished by death.

Sec. 2. Persons who, with intent so to do, shall by word or print incite others to kill, and who by such means shall have caused others to kill the President of the United States, the Vice-President thereof, or any person in the line of Presidential succession as fixed by the Constitution or laws of the United States, shall, upon conviction thereof, be punished by death.

Sec. 3. Any person or persons who shall intentionally kill any ambassador or minister from a foreign state or country resident in the United States, shall, upon conviction thereof, be punished by death.

Sec. 4. Persons who, with intent so to do, shall by word or print incite others to kill, and who by such means shall have caused others to kill, any ambassador or minister from a foreign state or country resident in the United States, shall upon conviction thereof be punished by death.

Sec. 5. Any person who shall threaten to kill the President of the United States, the Vice-President, or any person in the line of Presidential succession, shall be deemed guilty of a menace to the good order and well-being of the federal government, and of conduct calculated to incite violence upon persons charged with the execution of

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

its laws, and, upon conviction thereof, shall be imprisoned not exceeding thirty years.

Sec. 6. Any person who shall assault or threaten to kill an ambassador or minister of a foreign state or country accredited to the United States and resident therein shall be deemed guilty of a menace to the federal government and of conduct calculated to incite violence upon persons whom, by the law of nations, it is bound to protect, and, upon conviction thereof, shall be imprisoned not exceeding thirty years.

Sec. 7. Any person who shall expressly, openly and deliberately approve of the intentional, violent and unlawful killing of a President of the United States, a Vice-President, or any person in the line of Presidential succession as fixed by the Constitution or the laws of the United States, shall be deemed guilty of conduct calculated to incite unlawful violence against the government of the United States and upon persons charged with the execution of its laws, and, upon conviction thereof, shall be imprisoned not exceeding twenty years.

Sec. 8. Any person who shall expressly, openly and deliberately approve of the intentional, violent and unlawful killing of an ambassador or minister representing a foreign state or country and resident in the United States, shall be deemed guilty of conduct calculated to incite unlawful violence upon persons whom, by the law of nations, the federal government is bound to protect, and, upon conviction thereof, shall be imprisoned not exceeding twenty years.

Sec. 9. Persons associating themselves together or assembling within any State or Territory for the purpose of discussing and considering means for killing any person charged with the duty of executing the federal laws, shall be deemed guilty of conspiracy against the good order and well-being of the federal government and the due execution of its laws, and, upon conviction thereof, shall be punished by death.

Sec. 10. Persons associating themselves together or assembling within any State or Territory for the purpose of discussing and considering means for killing any chief or head of a foreign state or country, or any ambassador or minister of a foreign state or country resident in the United States, shall be deemed guilty of conspiracy against the good order and well-being of the federal government, and, upon conviction thereof, shall be punished by death.

Sec. 11. Any person who shall openly and deliberately advocate the violent overthrow of all government whatsoever, and who shall openly and deliberately declare himself against the enforcement of any and all law, shall be deemed guilty of a menace to the federal laws and to the good order and well-being of civilization, which the federal government is in part bound to uphold and maintain, and of an offence against the government of the United States and, upon conviction, shall be imprisoned for ten years or for a less period as justice in the particular case may require.

This draft enunciates no new doctrine. It invokes no new principle. It only carries the ancient, well-known and wholesome principles of the common law to the needed protection of the general government. Let it at once be declared by Congress, and

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

let it at once be understood by all who are here, and by all who may come, that killing, conspiring and threatening to kill the necessary agents of the federal government because they are such are crimes against a government which must and shall be upheld. It is high time that this should be declared and understood. It is worse than idle, it breeds contempt for the government, to surround the President with detectives to hunt through a mass of humanity to find those who carry revolvers, daggers and explosives for deadly use, when no adequate federal remedy is provided for dealing with such offenders when found.

It has always been unlawful to kill, and section one of the suggestive draft declares against that. It has always been unlawful to assault with intent to kill, and section one declares against that also, with a severer penalty than has ordinarily attached to such offence in modern times; and the severer penalty is justified by the enormity of the offence, that of attempting without provocation to destroy an innocent man because he happens to be the representative of the people's government. A malice or a general malevolence which provokes an assault under such circumstances should receive a rebuke commensurate with its enormity.

Section two declares against those who incite others to assassinate. This has always been an offence, and all this section proposes is that the government shall assert its right to invoke and administer, for its necessary protection, the law which other jurisdictions have enforced from time immemorial. Section three proposes to include within its provisions ambassadors and ministers from foreign countries. This is upon the ground that Congress may, under the general welfare clause, pass any law necessary for the protection and well-being of the general government. Its welfare and well-being imperatively demand that ambassadors and ministers from foreign countries with whom it has international relations, and who are residents at its capital, shall be protected from violence. The obligation of protecting such foreign agents has existed, under the principles of international comity and the law of nations, at least since the days of Vattel and Phillimore.

Section five deals with threats to kill. While threats alone have not been generally accepted as sufficient to constitute an assault, yet by the old common law threats to kill were treated as

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

a breach of the peace; and it is proposed to carry this principle to the protection of the government on the ground that threats to kill its agents are deemed to be a menace to the good order and well-being of the federal government, and involve conduct calculated to incite violence upon persons charged with the execution of its laws.

Sections seven and eight propose to deal with those who approve of unlawful killing, and this is upon the ground that the conduct involved in such expressions of approval is calculated to incite unlawful and deadly violence. It is one thing to express satisfaction or approval of the natural death of a person or an official; it is quite another and a different thing to express approval of their unlawful and violent destruction.

Section nine deals with those who associate themselves together for the purpose of plotting the violent destruction of persons charged with the duty of executing the federal laws. It has for centuries been an offence at the common law to conspire for the purpose of taking human life. A plot to kill or destroy persons charged with the duty of executing the federal laws may well be made an offence against the government, and this may be done without enunciating any new principle. The law of conspiracy does not require or wait for an overt act in furtherance of the conspiracy. The gist of the crime is in the plot, and the law at once operates upon all who conspire for an unlawful purpose. Section ten declares against a plot to kill or destroy any chief or head of a foreign state or country, or any ambassador or minister from a foreign state or country resident in the United States. This may well be done under the general welfare clause of the Constitution, for it is plain enough that the welfare and the well-being of the United States Government require that plots shall not be hatched and perfected upon American soil for the destruction and assassination of European rulers with whom it holds friendly international relations.

Section eleven declares against those who openly and deliberately advocate the violent overthrow of all government, and who declare themselves against the enforcement of any and all law. At the common law, such persons were treated as outlaws. This again presents a situation to be dealt with practically. How idle it is to hope that, as humanity now exists, people could rest in peace and security without law and without government. It is one

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

thing to advocate a different kind of government, or a less oppressive government than that which we have; but it is another thing, and a crime against the well-being of civilization, to advocate the overthrow of all government, and to declare against the enforcement of all law. Why should not a man whose voice and whose hand are raised in violence against all law, and against all men, as a class, who are charged with the duty of upholding and executing the laws in the interest of peace, good order and the well-being of states and communities, be deemed an offender against the Government, to be dealt with according to the modern idea of civilized punishment, and subjected to such restraint as Congress shall deem proper in such a case, and such as shall be deemed commensurate with the offence? Those who declare against all government and all law are inimical to civilization and good order, and their conduct portends evil to our institutions. Such persons are unfriendly to and against our government, and such attitude should be declared by Congress to be an offence. Why, upon trial and conviction, should not the blessings and the protection of government be wholly withdrawn, and why, upon conviction should not such offenders be treated as foes to civilization and humanity? If Congress deemed it expedient it might unquestionably go beyond what is proposed in section eleven by way of penalty and enact a law authorizing a judgment of outlawry against a person convicted of such an offence against the government, and such a law would not be a bill of attainder within the meaning of the Constitution. Outlawry process against offending and convicted persons was well known in the English law when our government was founded, was not inhibited by the federal Constitution, and has been used and practiced since the Constitution was adopted in several of the states—as, for instance, Virginia, Alabama and Pennsylvania.

Though under the shadow of a crime so shocking that it appals the civilized world, and though confronted by an unjust and unreasoning fury, the cry of the American people is not for vengeance, but for clear and resolute repressive measures against violence and threatened violence; and the honor and integrity of the nation demand that such measures shall be enacted into law.

EDGAR ALDRICH.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

INTERNATIONAL CONTROL OF ANARCHISTS.

BY HIS EXCELLENCY THE DUKE OF ARCOS, SPANISH ENVOY EXTRAORDINARY AND MINISTER PLENIPOTENTIARY TO THE UNITED STATES.

SPAIN'S experience with anarchists seems to have demonstrated one thing—the difficulty, the impossibility almost, of preventing those overt acts which have made anarchy the most detested form of political agitation extant. Repressive measures of the most severe order have had the effect of driving a great many of the malcontents out of Spain and of scattering their forces. But it has seemed impossible to devise any scheme of law that will prevent assassination or secure immunity from individual outrages. The great body of anarchists are, no doubt, free from the desire to commit murder. They are intelligent enough to appreciate that nothing hurts their cause so much as assassination. The trouble, then, is not in controlling them *en masse*, but in locating and controlling the individual fanatics in their ranks who look upon murder as a holy rite. It is inevitable that such men should constantly be developed by the spread of anarchistic theories. When you preach the unrighteousness of all law, the outrage of majority rule, and the divine right of the individual, it is natural that some misguided person should rise here and there to take this doctrine literally, and to come to the logical conclusion that it is his right to act as judge, jury and executioner. Naturally, then, murder follows the spread of anarchy as fire follows the touch of a match. The trouble is that no one can know where the match may be touched. The very fact that the anarchists generally are harmless enough, and, in the narrow sense, remain within the pale of the law, creates the difficulty of the situation. The anarchist who is a mere visionary and theorist cannot be separated, before the act, from his violent brother who

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

carries the theories of the cult as he understands them into effect. In this particular, anarchists are somewhat like wild animals. They have no general standard. Unlike almost any other class, they cannot be treated as a body. It is a fundamental creed of their order that each individual is a law unto himself; and, therefore, each must be judged and handled separately. This renders concerted or general action against them most difficult, and tends to make futile the adoption against them of such preventive measures as may be employed with some assurance of success against every other class of dangerous agitators and law-breakers.

It has been suggested by at least one writer on the subject (Emanuel, in "*Anarchie und Seine Heilung*") that anarchy might be wiped out if all anarchists were classed as lunatics and treated accordingly. Alienists are agreed that there is no such thing as a harmless lunatic. They say a man who has one delusion to-day may develop another to-morrow in an entirely different direction, and that direction may be homicidal mania. Accordingly, they declare that, for the protection of society, all lunatics should be locked up in an asylum until cured, the "harmless ones" along with the others. Similarly, this writer proposes that all anarchists should be confined in asylums until cured of their mania.

This, like other remedies against anarchy, is very well in theory, but in practice it would cause more trouble even than the most violent of their misdeeds. Once the custom of locking up ladies and gentlemen who advocate "advanced" theories of government and sociology was inaugurated, it would not take us very long to get back to the condition peculiar to the Middle Ages when rulers were in the habit of putting obnoxious subjects who demanded political advancement in filthy dungeons and keeping them there until they rotted.

Most of the philosophical writers on anarchy have given it as their belief that education will cure the evil; that when the masses of the people everywhere are given opportunity for mental advancement we will not be troubled with assassins. These men apparently lose sight of the fact that it is only since education has become general that anarchy has come into the world. Almost without exception every anarchist who has turned assassin has been a workman whose education has been far better than that of his fellows. In the eighteenth century, when the working peo-

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

ple were like animals, perfectly content to be fed and to lie in the sun, there were no assassins in their ranks worth mentioning. As education spread among them they learned to see the inequality of things in this world, and to grope in a blind way for improvement. Unfortunately, education has not progressed far enough with these people to make it clear to them that their remedy does not lie in assassination. It is the half-education that is doing the mischief among the workingmen who are tainted with anarchy. It develops their receptive powers without proportionately developing their reasoning powers.

Education may ultimately kill that form of anarchy that finds expression in murder, but it must be a much more comprehensive education than is available now to the average man and woman among the masses, even in the most advanced countries. The anarchists are a strange, oblique people, and no amount of education seems able to cure them of their peculiar way of looking at things, for among them we often find men of classical learning. These men, however, are never, it must be confessed, the ones who develop into assassins; but, in common with those who do, they are aiming at something undefinable. No one apparently knows what they want, least of all they themselves. As for the assassins in the ranks, they are utterly illogical. Every other class of political assassin has at least some definite, tangible object in view. He commits murder because he seeks to remove some particular ruler, or a member of some particular governing party or body. The anarchist assassin, however, murders simply at haphazard. He is not even as logical as were the Irish dynamiters, whose eccentric crimes at one time seemed to defy all logic and explanation. Investigation, however, showed that, in each case in which the Irish dynamiters exploded their bombs, they had some specific person in view or planned the destruction of some specific structure. Not so these anarchists. Take, for example, the outrages they committed in Spain in 1893, and the outrages that they are perpetrating from time to time to this day in Paris. They exploded bombs in a theatre in Barcelona which was filled with innocent men, women and children, none of whom were connected with the government which the agitators pretended they wished to destroy. In Paris they explode bombs in cafés frequented only by persons who work for a living, and who never had to do with the "ruling classes" or with government officials in their lives.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Then the assassination of the poor Empress of Austria! Here was a lovable, kind, gentle woman, who had absolutely no connection with politics, whose living or dying could not have the slightest effect on any one except the members of her immediate family and her friends. By what specious reasoning she was singled out for assassination by men professiong to work for a different form of government and social order no man may even guess. What can you offer madmen who act thus as an inducement to refrain from their murderous course? What can you do or leave undone that would assure you against the commission of an act such as the one that robbed the United States of its chief executive? Here you have a country where anything may be achieved at the ballot box, where all institutions may be torn down and set up in a new form by the expressed will of the majority. Supposing that to-morrow all the riches of the country were redistributed equally among the people, such fanatics as the man who murdered the President would soon find new inequalities that to his diseased mind would justify murder.

If the anarchists were to be restrained from doing acts of violence by granting improved conditions and an advancing situation for the poor there could not possibly be any assassins among them to-day. Never in the world's history has social improvement been so rapid and so pronounced as within the past sixty years; and yet it is within that period that the percentage of political murders, or rather murder done in the name of politics, has been greatest. And it is also within that period that the political murders have been most illogical and most barren of results. Not one of the deaths wrought by the anarchists has brought about any change or social or political improvement. The only effect they have had, if any, has been to produce, for the time being, a check on the progress of liberality. Yet the murderers go steadily along; and, judging by experience, they will increase in proportion to the spread of knowledge, or rather half-knowledge, among the masses. That education will bring us relief in the end is comprehensible, but this relief can only come when general education passes the crude stage in which we find it to-day. We are everywhere making the most distinct progress along this line. The anarchist outrages are part of the price which we must pay for this progress. It is with social and political improvement as with physical improvement. The process is

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

full of danger while it is under way, and gives off certain noxious products which endanger health and often bring death. The planting of a new sewerage system means the upturning of soil soaked with disease germs. We know this to be a fact, and that fever and death lurk in the process. This does not deter us, however, from putting in the new sewerage. We keep our minds fixed on the future, and guard as well as we may against the dangers that menace us in the present. That view of anarchy is the most consoling one. We must look upon it as a noxious incident of the advance of civilization and the spread of education.

Some partial protection may be found in a proper police control, but this protection must always be unsatisfactory and incomplete. What, after all, is to be done to safeguard our rulers and ourselves against the attacks of men who are perfectly willing to die for what they consider their "cause." You cannot deal with them by making it hazardous for them to attempt murder. An anarchist who makes an attack with a knife, or a pistol, or a bomb means to kill. He knows that his own capture is inevitable and that his fate is fixed. To pass a law making an attempt on a ruler's life equivalent to murder does not solve the problem of protection even approximately. The penalty makes absolutely no difference to these deluded creatures who are bent on assassination. After the Barcelona outrages Spain adopted the most drastic measures in the hope that assassination could be stamped out. It was provided that any man responsible for explosions likely to cause death or serious bodily injury should be executed or sentenced to penal servitude for life. Severe sentences were provided for all persons, and especially newspaper editors, who advocated or condoned bomb-throwing. Anarchist societies were declared illegal, and the government was empowered to dissolve them wherever found. Trial in each case was to be by court-martial, in order to secure more expeditious punishment. All these measures had apparently little or no preventive effect. Almost on top of them came repeated new attempts, the record of recklessness being finally topped with the assassination of Canovas in 1897 by the anarchist Angiolillo.

Spain was one of the last countries to feel the manifestations of anarchy. While Italy and France and some of the other nations had long been struggling with the question, Spain still remained free. It was not until the eighties that missionaries

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

were sent from the camps outside our borders to foment trouble among our workmen and plant the seeds of anarchy. Up to that time the extreme political agitators were all socialists, men of a radical type, but with no taint of assassination or violence. It did not require very long to convert the extreme element among the socialists to anarchistic doctrines, and soon thereafter anarchist outrages began to manifest themselves. It was not until 1892, however, that these outrages became so flagrant and so numerous that they riveted the attention not only of the nation, but of the entire world. Several attempts were made to blow up the residences of some of the leading statesmen, and efforts were also made to get at the person of the King. A number of bombs were exploded in the grounds of Canovas's residence, but the perpetrators of these outrages were not apprehended. Careful work on the part of the police revealed a number of extreme anarchistic groups, among whom there were several men on whom the crime of exploding bombs was saddled. These persons were located at Xeres. After a brief trial they were convicted and executed on February 10th, 1892. This execution was the signal for a general massing of strength by the anarchists, who vowed venegeance on the government. The police kept in close touch with the conspirators, and almost every week a raid was made on one den or another where the groups congregated. In the very teeth of this police activity the anarchists, on June 12th, 1893, exploded a bomb in a crowded plaza of Barcelona. On September 24th General Martinez Campos was conducting a review of troops at Barcelona, when two bombs were exploded under his horse. The General and four of his aides were severely wounded, and one policeman was killed. The bombs, it was shown, had been thrown by a cigarmaker named Pallas Latorre. This person was a fair example of the type of human beings developed by the theory of anarchy. He also illustrated the absolute recklessness and contempt for punishment characteristic of the political assassins. Instead of attempting to escape with the multitude after the explosion of the bombs, he stood his ground and gloried in his crime, calling on heaven and the people to witness his bravery that made it possible for one man to attack single-handed the flower of the Spanish army. Of course, he and his fellows were entirely oblivious to the absurdity and foolishness of his position. He looked upon himself as a "martyr to the cause." Latorre was

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

tried by court-martial and shot on October 6th. It was hoped that this speedy execution would have some effect in deterring others from committing outrages. But within a month, on November 7th, the massacre in the Liceo Theatre occurred at Barcelona. Two bombs were thrown and thirty people, all innocent spectators, were killed or fatally injured. The police after this put out a drag-net and made over a hundred arrests. While the authorities were most active another bomb was exploded on November 15th, in a plaza where thousands of people were gathered to cheer the troops that were departing for one of the colonies. Still another explosion of dynamite followed within a few days, this time in the barracks of Villaneuva.

The nation by this time had grown desperate and demanded summary vengeance on every one who was tainted in the slightest degree with anarchy. Hundreds of anarchists were gathered in and put on trial before a court-martial. Justice was meted out swiftly; and, while the evidence warranted few executions, hundreds among the extreme anarchists were transported.

In an effort to destroy the evil, root and branch, the Spanish Government, in December, asked the governments of the world for international action. A conference was held in Rome, but nothing positive came of this.

England, the most prolific breeding-ground of the anarchists, was not represented at all. Her statesmen refused to consider any proposition looking to concerted action, on the ground that a course might easily grow out of such an action that would abridge the personal and political liberty which that country had always maintained.

The wholesale deportation of the fanatics apparently had the effect of giving Spain some respite from their assaults, for it was not until the following year that another attack was made. This, fortunately, was ineffectual. It was aimed at the civil governor of Barcelona, and the perpetrator avowed that his deed was done in revenge for the execution of Pallas. This move was followed by further repressive measures on the part of the government, which resulted in the court-martialing and shooting of six of the ringleaders. For a while matters quieted down and police action relaxed, until the assassination of President Carnot in France, on June 24th, by the anarchist Caserio. This again roused Spain, as it did the whole world, to renewed activity against the anar-

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

chists. It also made clear once more the fanatical and desperate character of these people, and the hopelessness of relying upon ordinarily preventive measures for safety. Carnot, it will be remembered, was murdered in the midst of a regiment of cavalry. If the ruler of a nation is not safe from assassination when he is surrounded on all sides by soldiers who are faithful to him, then what means of precaution may be relied upon?

It was not until 1896 that there was a further violent manifestation of anarchy in Spain. On June 2d of that year, while General Despujols was reviewing the troops at Barcelona, a bomb was exploded under his horse. The General escaped with slight injury, but eight other persons were killed, and a large number were injured. Wholesale arrests were at once ordered by the police, and 380 avowed anarchists were taken into custody. They were carefully sifted until the guilty ones were located. These were put on trial before a court-martial, and eight were condemned to be shot. In addition, more special legislation was passed by the Cortes. It was provided that any person found guilty of promulgating anarchist propaganda of the violent type, and any one found guilty of concealing a plot for the explosion of a bomb or any other act of violence, should be punished by death or penal servitude for life. The ink on the signature to these laws was hardly dry before an attempt was made to blow up a train. Investigation showed this to be clearly an anarchist plot, and more arrests followed. There was more or less agitation after this, with sporadic outbreaks here and there; but no serious incident occurred until the assassination of Canovas on August 8th of the year following, 1897.

The foreign complications that came upon Spain not long after this event seem in a measure to have diverted the anarchists from their usual course of murder. It is too much to expect, however, that the quietness which Spain has enjoyed will endure for any length of time. The respite has had the usual effect with us, and the effect that it has with most other countries. It has put police surveillance very largely to sleep, and thus robbed us of about the only remedy that is efficient in keeping anarchists down. It is with Spain as with America. On the heels of a great calamity such as the murder of the President there is a great public outcry and a demand for repressive measures. The authorities everywhere are active and the anarchists are kept under close police

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

supervision. Suspected persons are carefully watched, and the laws against inflammatory speeches are rigidly enforced. Special legislation is planned, and under the spur of the public demand drastic laws are put on the statute-books. This continues until the public mind turns to other subjects. Then a period of inactivity ensues. It is at that point that the anarchists always get a fresh start.

International action that would bring about ceaseless surveillance and general co-operation between the heads of police all over the world would be an excellent thing. Whether any other effective measures could be taken by the governments acting in concert is a question. But the adoption of a general plan of police warfare could certainly be accomplished, and the gain would be undoubted. As I have said before, it would be too much to expect that this or any other course would effectively prevent the dastardly acts of assassination that from time to time shock the world. What could be done, however, would be the reduction of the chances of such events by keeping down the agitators who put the murderous ideas into the heads of weak-minded creatures. It is a peculiar thing, and one worthy of notice in that it may offer a suggestion, that the anarchist who turns assassin is never one of the leaders of the movement. The men who struck down the Empress of Austria, the Prime Minister of Spain and the President of France, like the murderer of President McKinley, had never been heard of until their infamous acts blazed their names all over the world. None of these men had any power of original thought. They were all inspired by others, by the speeches or writing of the leaders, the men and women who are known to the authorities, but who are shrewd enough to keep out of danger. The real guilt is with these leaders rather than with their instruments; and if they could be muzzled a long step would be taken in the right direction. Concord of action among the nations, along the line of extending and systematizing the police power against anarchists, would go far towards making this muzzling process possible. As it is now, the anarchist agitator who is driven out of one country by the authorities finds lodgment in another, and from that vantage point pushes his propaganda in print and by mail almost as actively as he could have done on the scene and in person. A system that would make the police all over the world a solid, interacting force

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

against them would deprive these anarchists of the immunity they now enjoy. By confining such international police co-operation entirely to persons well within the anarchist class, no danger to the general or political liberty of others could be apprehended. The police would keep themselves in close touch everywhere with the anarchist movement; they would exchange information bearing on the doings of the agitators, and have complete descriptions in every bureau of the men and women concerned.

Spain was profoundly affected by the news of Mr. McKinley's assassination. It has revived the old hatred and fear of anarchy, and put the public mind in a state in which any proposition for general action against anarchists would no doubt be hailed with satisfaction. The same sentiment, no doubt, exists in all the other countries. Even England would probably now consent to participate in a formal international conference on the subject. Comparatively, England has been reasonably free from internal anarchistic troubles, a fact which is due, no doubt, to the fact that under her institutions it is possible to conduct a perfect system of exportation of anarchists and anarchist materials into other countries. Notwithstanding this, however, and despite all the leniency shown these agitators, several attempts against the late Queen's life are on record, and the measure of gratitude of which anarchists are capable was pretty accurately shown by the assault made on King Edward during his visit to the Continent. It is not altogether improbable, therefore, that England would now listen to a proposition for an international arrangement that would permit police control and pursuit of suspected incendiaries all over the world. If such an arrangement should be perfected, the fearful crime of which Mr. McKinley was the victim, a crime that robbed the American people of one of its best beloved rulers, of one who in the opinion of his countrymen was a model of domestic and civic virtue, would, in a measure, bring its own atonement.

ARCOS.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

CUBA'S IMMINENT BANKRUPTCY.

BY EDWIN F. ATKINS.

It is now three years since the United States Government took charge of Cuba. During that time order has been restored, schools have been established throughout the Island, cities have been put in good sanitary condition as far as surface cleansing can do so, contagious diseases, including yellow fever, have been almost stamped out, and an effective customs revenue system has been established and enforced.

Only those who have been upon the spot and who have watched the progress made, from month to month, can appreciate the untiring energy and executive ability of Governor-General Wood and the thoroughness of the work of the army officers in charge of the various departments. The patience and perseverance of these men, often exercised under most trying conditions and with no thought of reward other than that accorded to the soldier whose duty has been well done, cannot fail to arouse both respect and admiration for the United States Army in the mind of the careful observer.

All that the administrative arm of the Government (as represented by the Army) could do for the benefit of Cuba has been well and thoroughly done up to the present time; the responsibility for her future welfare now rests upon Congress.

The economic conditions of the Island call for prompt and decisive action, or Cuba will be bankrupt before it can be turned over to its Independent Government, and its population, deprived of employment, will again be in a fit state for rebellion against any established government.

While the President of the United States, in his capacity of Commander of the Army and Navy, has full power to regulate the affairs and adjust the custom-house revenues of Cuba through

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

the War Department during the period of military control, that power does not extend over the customs revenues of the United States, and only Congress can change or modify the established tariff rates.

The extreme protection accorded to domestic producers of sugar under the Dingley tariff and the annexation of the Sandwich Islands and Porto Rico have largely aided in bringing about a most serious crisis of affairs for Cuba, which, although it is under the military government of the United States, is in all other respects treated as a foreign country.

The present economic condition of Cuba is most serious. The price of New York, duty-paid, centrifugal sugars of 96 per cent. purity, which grade of sugar forms the market standard of cane sugars of the world, has now fallen to the extremely low figure of 3.75 cents. When the duty of 1.68½ cents is deducted, 2.06½ cents remain as the bond value of Cuban sugars in New York, while the same grade of sugars from the Sandwich Islands and Porto Rico, as well as the domestic product of New Orleans, has the duty paid value of 3.75 cents per pound.

The bond price of sugars last January was 2.69 cents; consequently, the decline since that time has been five-eighths of a cent per pound.

The price at which Cuba sold her past crop between January 1st and July 1st averaged 2.44 cents per pound in New York, which showed a decline from the previous year of about a quarter of a cent per pound.

From the present bond value in New York, 2.06½ cents, must be deducted a tenth of a cent for ocean freights and a quarter of a cent for shipping charges in Cuba, including packages, storage, lighterage, shipping commission, etc., so that there remains only 1.71½ cents per pound.

This figure of 1.71½ cents per pound in United States currency, or its equivalent in Spanish money, is all that the Cuban planter now gets for his sugars, delivered at a port where they are salable; and out of that mentioned sum he must pay the inland transportation to the shipping port. As the duty upon these sugars under the Dingley bill is 1.68½ cents per pound, it amounts upon the present value to just about 100 per cent. upon the planter's price, which is now far below the average cost of production.

With a declining market for his sugars, the Cuban manufac-

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

turer has also had to contend with an advanced cost in his labor. He is now paying for labor double the price paid in the large beet sugar producing countries, such as Germany and Austria, double the rates that are paid in Porto Rico, and eight times the rates that are paid in Java, with all of which countries he has to compete in the New York market.

Owing to the bounty systems of Continental Europe, Cuba's sugars, as well as sugars of other cane producing countries, are practically shut out from the British market and have to seek an outlet in the United States, Java, being the only important exception, now sending over one-quarter of her crop to China. There is but the smallest hope for Cuba through any material improvement in prices, for the following reasons:

The total world's crop of sugar for the year ending October 1st, 1901, was 9,581,000 tons, showing an increase over the previous year of 1,123,000 tons, a figure far in excess of the increased consumption; during the same period the visible stocks of sugar had nearly doubled, and the decline in New York was one and a quarter cents per pound. The estimated increase in the world's crop for the coming year is 800,000 tons, which, if realized, will show a total output of 10,300,000 tons.

All the beet sugar countries of Europe are now producing far in excess of their own requirements and of those of Great Britain, and their exports, particularly those of Russia, have already driven cane sugars out of the Italian and Turkish markets, and the surplus beet crop must either find an outlet in the United States or be added to the world's stock.

The consumption of the United States for the year ending January 1st, 1901, was 2,220,000 tons. For the current year it may be estimated at 2,330,000 tons. Against this requirement the supply of free sugar, as estimated for the crops now under way, is as follows:

	Tons.
Hawaii	320,000
Porto Rico	120,000
Louisiana and Texas	300,000
Domestic beets	150,000
	890,000

Thus our requirements of foreign sugar would be but 1,440,000 tons.

The supply of duty-free sugar as compared with the requirements for consumption will be about thirty-nine per cent.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Owing to the bounty systems of Europe, their beet sugars can be sold in the markets of Great Britain at considerably below the cost of production. There being no such countervailing duty in England as there is in the United States, this naturally throws the cane sugar supply of the world upon the United States markets, together with the excess of the beet sugar crop.

Against the above-mentioned requirements of foreign sugars by the United States, say 1,440,000 tons, we have the following estimated supplies of cane sugar alone:

	Tons.
Cuba, estimated crop	800,000
British West Indies	269,000
Santo Domingo	50,000
South America, for export	150,000
Java	700,000
Egypt	90,000
	2,059,000

A very small proportion of the aggregate of the above-mentioned cane sugar can find an outlet either in Great Britain or the Orient; and with the balance, as well as with the excess of the European beet crop, Cuba must compete in the markets of the United States.

As Germany is by far the largest sugar-producing country of the world, the price of the New York market has for many years past followed that of Hamburg, and been sustained at a parity with it; now the effect of so large a prospective supply of duty-free sugar is already being shown by the bond price of the New York market dropping below that of Hamburg.

Germany is now producing 2,000,000 tons, nearly three times her requirements for consumption, and is making desperate efforts to hold her export trade; to this end, a syndicate of manufacturers and refiners has been in operation for some time past for the purpose of maintaining prices of her domestic consumption at as high a point as the import duty upon sugars will allow, thus enabling them to export at prices which otherwise would entail a considerable loss.

The operations of this syndicate, known as the "Kartel," are quite apart from the export bounty paid by the German Government; and, together with the bounty, the German manufacturers are enabled to ship their surplus abroad at fully one-half cent a pound below their cost of production. Against the Government export bounty the United States protects itself by a countervailing duty; against the "Kartel" there is no protection.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Europe, principally Germany, sent us last year about 400,000 tons of raw beet sugar.

The same bounty system prevails in Austria, Holland, France, and Russia. A recent German trade circular, in speaking of the system prevailing in Russia, makes the following comment:

"The Russian consumer not only covers the cost of production, the excise, and the additional tax, but also pays the export profits, dividends to the planter and sugar manufacturer, and besides is refunding the losses on exports to foreign countries."

There are left but two important consuming countries in the world, Great Britain and the United States. From the markets of Great Britain Cuba is excluded by reason of the various bounty systems of Europe, where, to illustrate with Germany as a seller, she has to meet a price, which, at present figures, is fully half a cent a pound less than cost of production.

In the United States market she has to meet the same German competition at a price a quarter of a cent a pound below cost of production, and against the domestic production of the United States she is met with a specific duty, which now amounts to one hundred per cent. upon present value of the sugar to her planters.

Through the recent Platt law, Cuba is virtually prohibited from making any trade treaties, which possibly might help her situation, with any country other than the United States.

In order to carry out the spirit of the Teller resolution included in our bill of Declaration of War against Spain, which declared the intention of the United States to be the establishment of an Independent Government in Cuba, the United States is now preparing to withdraw her troops from the Island, leaving the management of Cuban affairs in the hands of the Cuban people. The property interests of the Island are largely in the hands of foreigners, Spanish, American, English and German. These classes, while holding probably three-quarters of the property of the Island in the form of direct ownership, mortgages or open accounts, are entitled to no vote or representation in the political affairs of Cuba; to the protection of this property the United States is morally pledged under the Treaty of Paris.

Under the rulings of the military government of the United States, the franchise has been restricted by a property and educational qualification, but under the constitution recently adopted by the Cuban people universal suffrage was granted.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

The census of Cuba taken in 1899 by the United States military officials showed a total population of about 1,500,000 souls, some five-eights of the adult population being unable to read or write; whether under a majority rule a stable government can be permanently maintained and property adequately protected without interference by the United States, remains to be proven.

Under the present military administration, their customs revenue, which is practically the only method of taxation, amounts to some $15,000,000. This sum is unquestionably required for the proper administration of public affairs and for carrying out the plans of the military government for the education of the Cuban people and for public improvements. Looking back to the Spanish budget of 1895-1896, we find the estimated revenue of the Island to have been $24,753,000 (although yielding less), of which the Custom House revenue was estimated at $11,890,000, the balance being from direct taxation, lotteries and internal revenue stamp taxes.

In the year of 1895 the agricultural products of the Island were approximately $100,000,000 in value.

Through decreased crops in consequence of the insurrection and the war, combined with the great shrinkage in values during the past few months, taxation as compared to crop values, as representing the paying capacity of the people, now bears quite as high a ratio as under Spanish rule.

It is evident that the sugar industry of the world is rapidly approaching a crisis, which cannot fail to most seriously effect Cuba at a time when she will be most in need of revenue; for a financial crisis there must diminish importations and consequently the customs revenue. To withdraw our troops and protection in order to establish an independent government, while maintaining our present tariff against her products, would be to invite failure at the very commencement of her independence.

Cuba's crop commences in December; her troubles will be upon her at once. There is no time for a discussion of reciprocity between our incoming Congress and a Cuban Government yet to be established. Only prompt and decisive action on the part of Congress can save Cuba from the direst disaster.

EDWIN F. ATKINS.

BOSTON, November 4, 1901.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

THE PROPOSED APPALACHIAN PARK.

BY PROFESSOR N. S. SHALER, DEAN OF THE LAWRENCE SCIENTIFIC SCHOOL, HARVARD UNIVERSITY.

WHILE the administration of the lands belonging to the national government has not always been wise and sometimes has been shameful, one feature of it goes far to balance the account of misdeeds. This is the reservation in the Far West of many great domains, parks, forest reserves, or sites of the reservoirs which are to provide for the storage of water to be in time used on the arid lands. This course of action has not only given the people of the Cordilleran region the nation's guarantee for the preservation of some of the noblest features of the scenery and the most important natural resources of their part of the country. It has a larger import; for it indicates, by the successive legislative steps which have been taken, that the Congress of the United States is prepared to accept the principle that certain parts of the land, which by their beauty are of importance to the general welfare, shall belong to the commonwealth.

That nations should own and administer lands such as forests is common enough; but the selection of these areas, because of their beauty, or of their peculiar value to the people, and their effective dedication to public use, is most exceptional, if, indeed, it finds a parallel in any other country or age than our own. It may be charged that the legislation which established these reservations is, in its tendencies, socialistic, but the most inveterate enemy of that political theory, if he be open to reason, will not be disposed to contend against such action. He will have to acknowledge that these gifts to the community are very helpful to its best interests, and that they could not have been secured by private or corporate endeavor or even by the action of individual States. They can be obtained by national action alone.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

If the sense of national responsibility as to the public domain had come to the Federal Congress at its first session, instead of a century later, all our great reservations would not have been situated west of the hundredth meridian, as is now the case. They would be scattered over all the territory which was once the possession of the national government. In this way, the most charming bits of scenery in the eastern and central parts of the Mississippi Valley, the sites of the most important Indian monuments and the choicest areas of forest would have been preserved from the destruction which has come upon them. They, too, would be counted among our national treasures, safe for all generations to come. It is true that no part of the Atlantic coastal region north of Florida or the territory east of the Alleghenies was ever a part of national domain; yet, if the principle of reservation, now definitely adopted, had been accepted a hundred years ago, it would have been an easy matter to have acquired all the area most desirable for public use, by purchase or in exchange for other lands, from the several States which then held them as public property. Unhappily, the time is past when any such arrangement is possible. Except the part of the Adirondacks which is held by New York, and certain scattered areas in New England and Florida, practically all the State lands which are in any way desirable for public reservations have become private property. In most cases they have been so far changed from their primitive conditions that they no longer have any value as parks, while they have too great a value for other uses to justify their purchase for public service.

Let us imagine that our forefathers of the eighteenth century had been endowed with as much prescience as to other public needs as they were in matters political, and that, with such access of wisdom, they had looked over the territory of the United States, as it then was, to find where they would establish a reservation that should, for all time, preserve the noblest features of the great wilderness which it was their part to conquer, as it has been ours to subdue the vaster fields of the Cordilleras. I shall endeavor to indicate how they would have viewed the question, had they approached it in the light of our present knowledge and motives.

By far the most noteworthy natural feature of all the region east of the Mississippi River, at the time when the English colo-

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

nies were planted, were the forests of broad-leaved trees which extended from central New England to Georgia. The splendor of these primeval woods was recognized by the early explorers, and from these they judged as to the fertility of the soil; for it was a matter of common experience that from heavily timbered land rich fields could be won. They saw here the representatives of the Old World trees, oaks, elms, maples and beeches, but in far greater variety of species than existed in Europe, and along with these familiar groups many others, such as the tulip tree, the various gums, the magnolias, etc., which had no living representatives on the other side of the Atlantic. This wealth of arboreal life not only made a strong impresion on the imaginations of the first explorers and students of eastern North America, but added to their estimate of the commercial value of the country. Though Great Britain, when the American colonies were founded, had a population not one-fourth of what it has at present, its forests of structural timber, especially that used in ship-building, had already become scanty, and it looked to America for its future supply.

The early impression made by the forests of broad-leaved trees that inhabit eastern North America, to the effect that they were among the wonders of the world, has been affirmed by the better knowledge of our day. Elsewhere there are far greater trees, as the gigantic conifers of the Pacific Coast, or the species of Eucalyptus in Australia; but the botanically higher group of broad-leaved forms nowhere else in the world attained to anything like the development they exhibited in the district from the St. Lawrence to Georgia, and thence diminishing westward to the prairie district of the Mississippi Valley. If there was any one class of natural features of the eastern part of this continent which deserved to be kept in its best example for the pleasure and profit of future generations, it was these great Atlantic forests.

Although the broad-leaved forests of eastern North America have lost their primeval splendor and nowhere exhibit their noblest species of trees in their best estate, it is not too late to provide, by a suitable reservation, a field wherein they may speedily regain their primitive aspect. It is characteristic of this group of trees that the forests they form are self-renewing, so that any considerable area from which the species have not been actually exterminated, if kept from the axe and fire, will rapidly re-

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

occupy the ground, and, in a period that may be counted brief in the lifetime of a nation, regain the character of a primitive wood. There is, indeed, one section of the Appalachian Mountains where, in scattered yet large areas, there still remain fragments of the original growth which, owing to the difficulties of transporting timber and the relative immunity from fires due to the considerable rainfall, retain something like the primeval conditions. This field lies in the higher parts of the great upland of the South in the State of North Carolina, but near the confines of Tennessee, Georgia, South Carolina and Virginia. Here it is proposed that the federal government shall secure by condemnation, with the usual full compensation to the owners, a large area—it should not be less than a thousand square miles in extent—which shall serve the people for all times, as does the National Park of Wyoming, or, in less degree, the many other public reservations of the Far West, by preserving much beauty that otherwise will speedily vanish, and in other ways contributing to the good of the commonwealth.

The reasons why the mountain district of western North Carolina is the fittest place for a great national reservation in the eastern section of the United States, are easily made evident. In that upland district we have the highest elevations of the Appalachian system, many of the peaks surpassing Mount Washington in height. The region is still well wooded, the tilled fields being essentially limited to the narrow valleys. These settled areas could be exempted from condemnation; or, if here and there they need be taken, the number of people disturbed would be inconsiderable. The actual value of the ground is small, being for large areas but little, if any, more than the price of government lands; and the assessable average value is much less than that of many of the more extensive reservations in the Far West.

It is also to be noted that this region is in the very heart of the original broad-leaved forests of eastern America, where a greater number of the hundred or so important trees attain their full growth than in any other equally extensive field. Owing to the variety in height of the surface, a large and well-selected reservation would have a range of elevation of about five thousand feet, which would afford climatic conditions in which all, or nearly all, the broad-leaved species inhabiting the field from Georgia to

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Canada would flourish. It is worth while to note the fact that this upland appears to have been the main cradle-place and stronghold, for many geological ages, of the broad-leaved trees of the northern hemisphere. Ever since these groups of plants began to develop, the conditions of this area appear to have been essentially undisturbed. Repeatedly the northern parts of the Appalachian field have been swept over by glaciers, and the lowlands of the Mississippi Valley and the Southern States have to a great extent been occupied by lakes or by the sea. But, through the ages since the coal period, this mountain region of the South has been, so far as we can discern, the one safe ground where these broad-leaved species could maintain themselves. It is more than likely that from here they spread to the Old World. That in this district the varieties of this group are more plentiful than elsewhere, may be due to the fact that they were here nurtured and have here attained their characteristic qualities.

Although a national reservation in the southern upland will, perhaps, most commend itself to the people from their interest in the noble forests which it will permanently preserve, there are economic considerations that would of themselves warrant the undertaking. The effect of such a forested area on the streams which have their headwaters in this mountain district would be considerable and most advantageous. Properly located, this park would include the tributaries of rivers which flow to the Ohio, as well as streams that course to the Atlantic. It is evident that, in the future, these water courses, like all others in settled countries, are to be extensively utilized as sources of electric power. Owing to the form of the country, it will not be possible, as it is in New England, to hold back the stream water in reservoirs for use in the dry season of the year; the only economical method will be to have the water stored in the spongy mat which naturally forms in an unbroken forest, and which to a great extent prevents the water-courses from becoming beds of torrents in rainy seasons and in other times dry channels. In proportion to its area and rainfall, in relation to the whole of the drainage of the rivers flowing from it, such a forest reservation would serve to diminish the floods which, year by year, become more destructive to the tilled grounds and towns along the lower reaches of our great waterways, and more injurious to their value for navigation. This evil, already great, is constantly becoming

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

a more serious menace, as the steep sides of the mountains are further stripped of their woods. It is, indeed, likely that, before the end of the century, it will be a matter of national concern. So far as the proposed reservation of forests in the Southern highlands will tend to remedy this ill (that it will in some measure do so is certain), it will help where help is much needed.

The experience which has been had with the state forests of Europe, an experience already centuries old, is that they have value to the public in that they afford a needed supply of timber and, with systematic management of their reserves, a fair money return for the investment made in them. It is no disadvantage to the life or beauty of a wood to have the ripe trees removed, provided the work is done in a manner that does not seriously damage the younger growth or increase the risk of fire. From such a preserve—of, say, a million acres—as could be made in the Southern upland, provided it were well administered, there could be an annual output of timber which would go far to insure the neighboring region against the dearth of constructural woods, which is sure to be experienced in the country at large before the end of the century.

It may be said that, so far as such a reservation as is here proposed is to be regarded as a source of timber supply, it falls into the category of economic ventures which should be left to private or corporate enterprise, and not dealt with by the government. That it is not properly so classed is fairly shown by the fact that, although the destruction of our forests is going on at a rate which makes certain a serious dearth of their products within half a century, there is no provision being made for the needs to come. It has been proved that plantations of our more valuable timber trees, established and maintained with ordinary business ability, will, in the course of a half century, prove amply remunerative, repaying the initial costs as well as those of management, and leaving a permanent source of income for the holders. Yet such ventures nowhere tempt investors; the evident and natural reason being that men are not willing to invest money where the profits, however great, however well assured, are to come at a time beyond their expectation of life. It is, or should be, an accepted principle that the government is to provide for public needs when private enterprise, for any reason, cannot be induced to make adequate provision.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

The necessity as regards a future supply of timber in the eastern section of the United States is hardly less immediate than it is in the western section. The federal government has made tardy and rather insufficient, but, as far as they go, excellent establishments in the way of forest reservations to provide for this need in the western part of the country. It is true that this has been done by setting aside national lands, but there would be no important difference in the action if lands were, with due compensation to the owner, taken in the eastern section of the country for like uses. Whenever ground is required for public needs, such as fortifications, it is thus taken. Such takings are frequently made for parks under State laws. The only question is as to the measure of necessity and of benefit to the mass of the people, which may justify the disturbance of proprietors.

Not the least of the advantages accruing to our people from the establishment of an extreme reservation in the Carolina highlands is, that it would preserve for ordered public use the most admirable recreation ground in the South. In all the eastern part of the United States there is no other area which is by nature so well fitted to be a resort for health or pleasure as this upland district. The great extent of territory which here attains a height of more than two thousand feet above the sea, gives to the district a climate more characteristically mountainous than is found elsewhere on the continent east of the Rocky Mountains. To all the people of the southern plain-land, it is the most fitting summer resort; while, because of its mild and equable winters, it is peculiarly well-suited to be the winter residence of invalids from the North. So far as this field is brought under federal control, we may be sure that it will be retained in a condition to serve the health and pleasure of the public, secured from the degradation that everywhere comes upon such places if they are left without such protection.

The question may be asked why North Carolina should not assume the costs of establishing such a reservation as is proposed. The answer is that the cost to a single relatively poor State for the initial expense and the expense of maintenance would be excessive. Moreover, the advantages would accrue to the whole country and would be about as great to the neighboring commonwealths as to that in which the permanent forest is established. It is evidently a task such as the federal government

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

should assume. The work might conceivably be undertaken by an association of the States contiguous to this area; but such co-operation is not in our traditions, nor is it politically desirable that limited, associated action of our federal units should be brought about. It is evidently better that the work should be done by the general government. To that power we may fairly look for a continuance of the good work which has insured to coming generations a common right in the best that nature has given to the Far West.

If any one questions whether the establishment of the proposed reservation in the South would meet with the approval of the people, he may have his doubts removed by observing the resort of the folk of the Rocky Mountains to those which have been established in the Far West, particularly to the National Park of Wyoming. All through the summer, he may see camping parties of the country-folk on the way to these pleasure grounds. They often journey for hundreds of miles to have their outing on what they justly feel to be their own property. Living in their wagons and tents, in the care of an admirable corps of guards, they rejoice in their domain—theirs and their successors' forever. Such truly imperial gifts have greatly enriched a part of this country; it will be well, before the remnants of primeval nature have vanished, that the other parts of our realm should have like share in them.

N. S. SHALER.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

THE CHINESE AND THE EXCLUSION ACT.

BY JOAQUIN MILLER.

It is telegraphed to us of the Pacific coast that the head of the American Federation of Labor, the Secretary of the National Federation, and others, have called on the Executive to urge the re-enactment of the Chinese Exclusion Act; and it is, perhaps, in order now to inquire whether or not we of the West and the real laborers of the United States want, or ever did want, this Exclusion Act; also, to ask what these men know of China, the Chinese, or real American labor?

There are laborers and laborers. The real working man, in the main, is on "the firing line," his shoulder to the wheel; his face is not against his fellow man but for him; he is heading to the front; he is in the van of civilization, as his fathers, the founders of this mighty Republic, were before him, and he is proud, happy and content to be there. He is a Lincoln, a Garfield. He is a builder, not a destroyer. And these silent men at the front, of the forest and the field, outnumber the noisy city "laborer," so called, ten to one, although you would think the figures exactly reversed, to hear the city man and read his noisy resolutions.

Moreover, these silent laboring men on the firing line, the men of the forest, the field, the miners of the frontier, are in the main Americans. Get the names of the noisy city "laborers," and you will see that they are foreigners mainly, many of the names reading with an accent that is grimly suggestive of the incendiary and the anarchist.

Let all be equal before the law. But whom shall we heed, the great majority who build up, or the noisy few who tear down? The real laborer is not fretting the President with indolent and insolent delegations; he is quietly at work. There is work for

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

all who want to work. There will be work for all who really want to work until the Western States are entirely inhabited. It will be ages and ages before our last acre is plowed and planted, let come to us who care to come and labor and obey the laws. Now, do these real laborers, the men who work in content, want and need the Chinese with us? They both want them and they need them. Senator Morton, when he was at the head of the committee which had this matter of the Chinese in hand, said:

"That they have injuriously interfered with the white people of California, or have done them a serious injury, may well be doubted. The great fact is that there is to-day and has always been a scarcity of labor on the Pacific coast. There is work for all who are there, both white and Mongolian, and the State would undoubtedly develop much more rapidly were there more and cheaper labor. There was much intelligent testimony to the fact that the Chinese by their labor opened up large avenues and demand for white labor. The Chinese performed the lowest kind, while the whites monopolized that of a superior character."

Do the real proprietors of the Pacific coast, the owners of property and the taxpayers, want the Chinese with us? They do, almost without exception, and it would be strange if they did not; for, since the exclusion of the Chinese, property in our largest cities has, in the main, been at a standstill. And behold! our chiefest city, San Francisco, has slid back from its proud place as the seventh city in the Union to that of the ninth! Of course, if we had excluded all other foreigners along with the Chinese, we might have held our own, perhaps advanced as at the first; but these remaining foreigners have kept up such a turmoil that capital, always very sensitive, has been afraid to come and in many cases has moved out, and moved out to stay.

True, there are good foreigners with us; true, there are some Americans among the noisy, ignorant, discontented element; we can't draw sharp lines here; but, as a rule, it is the foreigner who has made and will continue to make trouble here until told and taught to keep in his place or get out of the country, as he pleases. True, there are a few Americans who prefer to do their hardest work on the day of election, along with the noisy foreigner—poor, misguided creatures, who have no brains to speak of—but, as Senator Morton said, there is work for all who want work.

The outcry against the Chinese began in San Francisco, and it began early; and it came from sailors, mostly, up from Aus-

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

tralia and other colonies of England, penal and otherwise. These foreigners, ever ready with fist or tongue, wanted to be porters, cooks and dish-washers; they wanted their sisters and their cousins and their aunts to do the chamber work. The politicians and the saloon-keepers wanted the votes of these "citizens," born but the day before; and as the Chinaman is, as a rule, more nearly a Christian in patience and forbearance than any other foreign-born laborer, he soon gave the sidewalk to all, and, for better security, began to go apart and to live apart with his own kind.

It pleased the rude element and the noisy politician and saloon-keepers who got nothing out of them, to see the newspapers mock the quiet and solitary Chinaman; and so every paper, except a few Christian publications, pounced on the Chinaman, on every possible occasion; and there is nothing in this world so conscienceless and cowardly as the average American newspaper; except, perhaps, the average American politician.

This outcry has widened and spread, until to-day there are few property owners in San Francisco who care to have their real sentiments on the subject published. But I repeat that all the tax-paying and substantial citizens of our cities and the real laborers of our Pacific Empire, from Alaska to San Diego, want and need these people with us; for, as Senator Morton said, they do "the lowest work." The man with a home, whether he has a little shop or a little farm, does not want his wife and growing children to cook, wash and do chamber work, when he can get a silent and submissive little Mongolian to do it for a song. I tell you more: the real laborer on this coast is a Christian, and when he reflects that "the little, brown man" is starving, starving for work, and that his people at home are literally starving for the dollar or two a week, which is all he asks when he first comes to us, why, this Christian man wants to open his home to him, and his heart, too, and give him work. We have, perhaps, the finest, best people in the world on this Pacific coast, the select of the Republic, and we can keep this standard up, and even advance it, and do Christian good at the same time, by not only allowing but inviting the little brown men to come. For our ambitious and splendid white boy or white girl cannot get on nearly so well at school if kept at home to do washing, do chamber work, and help mother to do what Senator Morton called

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

"the lowest work" about the house. The foreign girl simply will not go away from the city; and even in the city, if we except the Swede, German and the like, she must have light work and heavy wages. My work as a teacher, talker at Teachers' Institutes, Colleges and so on, has, in the last four years, taken me into nearly every county in Washington, Oregon, California, Arizona, New Mexico, Texas and Louisiana, and I have nowhere heard one voice in favor of the Chinese Exclusion Act, but the contrary, at all times and places. The Chinese are particularly wanted in the great Southwest.

I can count letters from women by hundreds, begging that this brutal Act be not perpetuated. Our women here in this warm land are not so strong. They must have "help," and they cannot depend on foreign white "help," and their daughters must go to school.

Now a word about the "hordes" that are to "overrun us." Senator Morton estimated that we had about 75,000 Chinese in California. We may have that number now; we may have only half so many, but I think, at one time, we have had at least a quarter of a million. This was when the placer mines were open to all, and the Harvard, Yale and Princeton graduate shovelled dirt in the same gulch with "John," and found him a very quiet, cleanly little fellow, from the Oregon Sierra to the Sierra Madre. And when the graduate, the gentleman, got his claim washed out, he sold it to "John" for gold and went home; and John sold it to his newly-arrived cousin, "on tick," and went home also. Then the cousin worked the claim to the bed-rock and went home, too.

So things went on till the first Pacific railroad was built, and when the last old claim was worked out, as a rule, the Chinaman went home. The quarter million of Chinese, without any restriction at all, had dwindled to about 75,000. Thus much for the "hordes" that are to overrun us. How illogical that the yellow element of the American press should be forever boasting of American valor, and yet constantly warning us to beware of the "hordes of degraded Mongolians that are to overrun us."

One word more about these "degraded" foreigners. They are, all their hundreds of millions of them, the best educated people in the world. They, as a rule, spend just about twice as much time at school as the Americans. They, perhaps, learn more

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

than twice as much; but, unfortunately for them, their lessons are all of the past. They know little of the present and trust their future entirely to the just precepts of Confucius, however antique and impracticable these may be. A child is taken to school almost as soon as it is big enough to walk, and it stays there ten hours in the day, seven days in the week and ten months in the year. The Empire provides the book. It is all in rhyme, and every line of the one thousand, more or less, is a precept or a proverb, and each precept is in three words or sounds. The very first lesson, or line, ever laid in the hands of these hundreds of millions is simply this:

"Man born good." The second line, or precept, is: "Gem be polished."

I have a cousin who is Consul about 1,500 miles up the Yang-tse. We went last summer to hear one of these little dots recite. He turned his back and, closing his eyes and rocking from side to side, went entirely through the book of about a thousand precepts, missing but a single line. Astonished, I asked the child's age. The teacher told my cousin that he was nearly six years, but explained that, as the Chinese always count the year before birth, he was, by American calculation, not quite five. This tax on the memory continues until the student goes up to Pekin for the final contest, when he is locked up in a box with a bottle of water and a ball of rice, and his judges hear his answers through a grating. The great prize, if he gets it, is simply this: "Qualified to hold office in —— Province." He is by this time, in the main, an old man, and only these old men can hold office. Learned in the letter but dead in the spirit, little wonder they dislike progress or change.

The pay of an office-holder is poor, because China is very, very poor. I do not see why the world does not know this. Ten millions starved to death there in a single year but a little time ago. China is the poorest part of the globe I ever saw, and as travelling has been my trade for nearly half a century I have seen and have considered the earth and its peoples, far and wide. I know too well how poor is the soil and are the people of China; and I doubt if the soil was ever very rich, for you see no great ruins there, as in India, Egypt, and some other ancient countries.

As for the honesty of these people, I appeal to every English merchant or banker, from Pekin to Hong Kong, to answer if he

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

ever heard of a dishonest Chinese merchant or banker. So far from that, not only has every English bank two Chinamen to receive and hand out money, but every bank in Japan has the same. The English will tell you, half in jest, that the Japanese is an Oriental Yankee, and does not trust his own people; and they will tell you, half in earnest, that the English bankers employ Chinese to handle their money because they never make mistakes. These people of China have never had anything like a bankrupt law. If a man cannot pay his debts, or some one does not secretly come forward and pay them, at the end of each year, he has "lost his face," and so he dies by his own hand. Yet, with all their piteous poverty, they have no such word as "hard times," for everything must be settled up at the end of the year. There can be no extension of time. Confucius forbade it.

Filthy? There are some places in San Francisco, kept for show—I know what I am saying—where "guides" beg to take you at night. Go into these "show" places, opium dens or worse, and you will find that the only persons there, except the keepers, are depraved white men and women. The Chinaman does not go into a "joint" to smoke opium. It is against the law, and he knows how eager the police are to take him in a wrong. Besides that, he is a solitary creature, as a rule. At home, since the British forced opium upon him, he smokes much, but alone.

Of course, we have but an inferior class of Chinese with us, for they are naturally proud and will not come where they are not wanted, except to get bread. But if you care to go to the little Chinese settlement in San Francisco, to shop or to see, go alone. You may learn a little bit about real China there. For instance, you will see the man, not the mother, fondling the little one. You will see him stand the little, animated flower-pot on the sidewalk and see it throw its little, silk sleeves around its papa's legs and hug heartily. You will see plenty of heart and not so very much dirt.

If I could only induce our Americans to journey to and through the Orient, instead of going so much to Europe, I am sure they would learn to despise all thought of an Exclusion Act.

The Chinese in the placer mines, where I worked alongside of them for years, always took time, at the end of a day's work, to entirely change their clothes and take a bath. I never knew a Chinese miner who did not. I never knew any other foreign

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

miner who did. In fact, I never knew one of the other foreigners to take a bath of any kind, except by accident. The Chinese are the cleanest people in person in the world, except, perhaps, the English gentlemen who take their daily "dip."

In conclusion, let me say I never saw a drunken Chinaman. I never saw a Chinese beggar. I never knew or heard of a lazy one. I sat as County Judge of Grant County, Oregon, for four years, where the miners had sold out to the Chinese to such an extent that the larger half of the mining properties was Chinese. Yet in all that time there was not one criminal case involving a Chinaman and but one civil one, and in the latter case a white man was finally indicted by his fellow-citizens for perjury.

Be assured, you will find all this wild cry simply sensation, as was the yellow howl of late in San Francisco, where the "laboring man" went on a strike at a time when there was more work than he could do, and at the best wages ever paid in the last three decades of our history. This laboring man struck because other laboring men did not choose to join him and his "beer joints." And nothing came of it, except that many good men were either killed or maimed and millions were wasted. Then the "laboring man" had to go to work alongside of the non-union man or not at all, as he pleased. But this sort of "laboring man" has paralyzed the coast before and will do it again, if he can.

It is but equity that the Chinaman shall come here if we go there. This land is too great and too good to forget equity. I repeat, we need the Chinese quite as much as they need us, and that is much indeed. And I say that, so long as the city of San Francisco, the State of California, and the Federal Government pander to and try to please and appease this ignorant mob of outlaws, who crowd the saloons and in their drunken desperation tear to pieces honest men who want to work but refuse to associate with them, just so long will San Francisco remain a reproach, as it has been all the season past. Bring in the Chinamen, and plenty of them, to help to take their places if they do not want to work. Let us see which is the stronger, a hoodlum mob of San Francisco or the President and the people of the United States.

Bear with me. I am a laboring man. I have never aspired to or attained to much beyond hard work. I have built miles

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

of stone wall here, planted thousands and thousands of trees, worked alongside of all sorts of "hands" right here, as all know, for the past fifteen years, all the time when not at work elsewhere, and so it is that I know what a real laboring man is.

I will not venture to advise; but I will say that if the man who really wants to work will keep out of the saloon, and go into the country and get a piece of land and go to work on it, he will soon look at things as I have set them down. He will soon want Chinese "help" for wife and babes, and, above all, a Chinese gardener. Or, if he cannot tear himself from the city, let him open a shop, start a factory, and employ Chinese, do almost anything except beg and bully; for that is simply about all that a strike means. This is about all that these missions to the President and these appeals to Congress mean. The so-called "laboring man," who is not one in ten of the real laboring men, simply is a beggar and a bully. He does not want to work. He only wants to get something for nothing. JOAQUIN MILLER.

The Heights, Oakland, Cal.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

CUSTOMS INSPECTION OF BAGGAGE.

BY LYMAN J. GAGE, SECRETARY OF THE UNITED STATES TREASURY.

IN this land of freedom we have no imperial, personal master. We have as our ruler only that impersonal thing, the law. The law is impartial, universal. Its bans and its blessings must extend alike over the rich and the poor, the great and the humble. Whoever seeks to violate it for his own supposed advantage commits moral treason against the state. Those who administer the law must be as impartial and as inexorable as the law itself.

From the standpoint of even justice and fair dealing, no fault can be found with the procedure of the customs officials in the port of New York. They are simply enforcing the law, as it appears on the statute books, without fear or favor. The discriminations that formerly existed, that had slowly crept into the administration of the law, have ceased. Everybody, rich and poor alike, is now on an even footing. Nor does there seem to be any general demand for a return to former methods. The persons affected, even if they are not all better satisfied than with the old order of things, are at least very generally convinced of the justice of the Government's course. This is shown conclusively by the fact that the protests, with which the Department was formerly visited, are greatly reduced in number. There are not two dozen cases on record where complaint has been filed since the order of last March went into effect. Under the old system, on the contrary, hundreds of letters were received every year by the Customs Division of the Treasury Department, from persons who expressed dissatisfaction at the methods of the New York custom-house in the examination of baggage. Travellers realize that they are all treated alike, that no undue hardship is imposed, that everything possible is done to facilitate examination, and they are satisfied.

One of the greatest evils that existed before was the wholesale extension of the so-called "courtesies of the port." Every

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

man and woman who had any sort of acquaintance, remote or near, with men in public life, made an effort to take advantage of these courtesies. First, the courtesy was taken to mean merely the facilitation of inspection. Instead of taking his or her place in the regular line, the person who had secured the "courtesy" was pushed to the front, a most unjust discrimination. This was bad enough; but it came to be the custom, by and by, that anyone so favored was subjected to practically no examination at all. His baggage was simply put through, regardless of what dutiable articles it might contain. In the course of the year many thousands of dollars were thus lost to the Government, and a gross injustice was imposed upon those travellers who were less fortunately situated. More than this, a serious business loss was inflicted upon the regular merchants who took their goods through the custom-house in the regular way. They were brought into direct competition with firms in Europe which did a thriving business with the men and women who felt safe in laying in large stocks of goods, knowing that they could bring them in under the blank permit which was practically granted by the extension of the courtesies of the port. This has now ceased.

On March 5th of this year, the Department issued an order to "Collectors and other Officers of the Customs" that entirely cut off the old impositions. The circular read as follows:

"A practice has existed for many years under which this Department has occasionally issued instructions to collectors to extend special courtesies to persons duly named, upon their arrival from foreign ports, such instructions having been based upon reasons set forth in applications made directly to the Department.

"This privilege was originally granted only to principal members of the diplomatic corps and other high officials of foreign nations, and to invalids and other persons entitled, under some peculiar conditions, to humane consideration.

"The demand for such courtesies has constantly grown in extent, and the practice has afforded justifiable ground for protest against its discrimination between private citizens. The Department has also received information which shows that the safety of the revenue requires a return to the original purposes of the usage.

"The chief officers of customs are hereby instructed that the extension of special courtesies to arriving passengers will hereafter be limited as follows:

"1. To foreign ambassadors, ministers, chargés d'affaires, secretaries of legation, and high commissioners.

"2. To similar representatives of this Government abroad returning from their missions.

"NOTE.—All the above officers are entitled by international usage to the

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

free entry of the baggage and effects of themselves, their families, and suites, without examination.

"3. To such high officials of foreign governments as shall be the subjects of special instructions from this Department.

"4. To invalids and their companions, to persons arriving in charge of their dead or summoned home in haste by news of affliction or disaster, special courtesies may be extended whenever authority in each case has been received from the Department.

"No requests for special courtesies will hereafter be granted except under the above conditions.

"It is also found imperatively necessary, in the interest of the revenue, to withhold the issuance of passes on the revenue vessels which carry the boarding officers to their assigned vessels, and such passes will no longer be furnished except under the restrictions above set forth regarding courtesies and by the special authority of this Department."

Recently, an old friend of the writer who was travelling abroad wrote that he was to return on a certain steamer, and asked that the Collector at New York be instructed to extend to him the courtesies of the port. He was informed that the favor he asked could not be granted. Knowing him well, the writer asked him to prove that he harbored no hard feeling because of this refusal, by himself doing a favor to the Department. This favor was that he should come in like any other traveller, take his chances, and report in full detail his experiences. He was advised of the attitude that had been taken by some of the newspapers, of the general assertion of hardship and ill-usage at the dock, and he was asked to co-operate in ascertaining what foundation there was for these charges. He agreed to the proposition and in due course ran the gauntlet of the inspectors, writing the Department from New York. He said that, so far as he could judge, the examination of baggage had proceeded with far greater dispatch than had ever been the case before, and he had gone through the mill a great many times. He found no dissatisfaction among the passengers whom he had interrogated on the question, and though he had kept a very sharp lookout for rough usage, he had found nothing that would have justified the slightest protest. Altogether, in spite of the fact that the courtesies of the port had been denied him, he said he felt impelled in justice to admit the superiority of the present method over the old.

It is not, however, on such testimony as this that the Department rests its conviction as to the wisdom of the change which has been effected. No man's judgment has been accepted in this regard. The Department relies upon facts and figures.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Where one dollar was collected before, over four dollars are collected now. For the seven months ending September 30th, duties amounting to $655,048.13 were collected on the personal baggage of passengers arriving from Europe. For the corresponding period of 1900 the collections were $152,455.15. The number of passengers was practically the same each year, over one hundred thousand in round numbers. The difference in receipts, therefore, is to be attributed solely to the more honest and even-handed inspection. A close examination of individual cases shows clearly enough where this difference came from. Last fall there arrived one ship with 600 cabin passengers. The records show that the total amount of duties collected at the dock amounted to about $400. This spring, after the new regulations were in force, the same ship landed 300 cabin passengers. The total duties collected amounted to $16,000. It happened that on both these trips the ship carried a considerable number of well known dressmakers and milliners. The records of the baggage of some of these show how foolish is the cry of injustice that has been raised. Without exception, almost, the declaration was made that there was nothing dutiable in the baggage.

In one trunk goods amounting to the appraised value of $4,335.56 were found. The duty on these was roundly $1,500. An examination of the records showed that the dressmaker owning this trunk, a woman, had been making trips to Europe for years back. She insisted that in the past she had always paid duty, but it was found that she arrived in March, 1898, March, 1899, and September, 1899, and in no case had she declared dutiable goods except once, when she declared $90 worth, which she had passed under the $100 exemption. When confronted with the facts, she still maintained that she had never brought in anything dutiable in the past, but in the course of the examination she let fall the statement:

"I am not the only one in this sort of business."

It was shown that she was correct. It was found that in all the great cities there were numbers of dressmakers, milliners, and even merchants who made from one to four trips a year to Europe, bringing back with them, undoubtedly, each time a lot of valuable merchandise in their trunks. These trunks were smuggled into the country, the traveller acting in collusion with dishonest inspectors. There was some trouble in getting definite

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

facts, but patience and perseverance finally brought to light a number of cases such as the one instanced.

In March, 1900, a dressmaker landed with two trunks which she declared had nothing dutiable. An examination found goods to the value of $4,617.48, on which duties were collected amounting to $1,742.78. This case, like the others, was discovered in the course of the special investigation that was conducted for more than a year previous to the issuance of the order which brought about the change on March 5th of this year. Going back over the records, it was ascertained that this dressmaker with the two trunks had landed from Europe in March, 1898, and 1899, and September, 1899, and each time her baggage was passed as containing nothing dutiable. On the same ship was another woman whose trunks on examination yielded $1,090.52 in duties, though she had sworn that they held nothing dutiable. The records in her case also showed that she made trips in 1898 and 1899, landing and putting her baggage through without paying the Government a penny. A man dressmaker, who had been in the habit of making two trips a year for a long period, almost succeeded in passing trunks containing goods to the value of $12,000, on which duties of $5,394.06 were levied.

Altogether, nine cases of this particular class were found. How many escaped cannot even be conjectured. The nine that were discovered had declared on an average goods amounting to $152.15 each. The examinations showed an average of $6,218 each. Here on one ship were $55,000 worth of goods that under the old system would have been brought into the country without yielding the Government practically any revenue. The manner in which these persons operated was simple enough. They had as confederates the regular inspectors of the Government, men who were paid $4 a day and who took this means of enriching themselves at the expense of the Treasury and their own morality. Both parties to the transaction were equally guilty in the eyes of the law, and it is this fact that has made it impossible to mete out proper punishment. The only thing that could be done was to break up the system, and this has been done to a large extent. The Department is doing its best, and there is hope that gradually dishonest men may be weeded out entirely. Even now, it is safe to say that the percentage of dishonest inspectors is so small as hardly to count. The great majority of the men are honorable.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Nor is the inspector the only person who has been benefited morally and mentally. A well known man who is a great traveller and is constantly going back and forth between this country and Europe came to the Department recently. He said he had just come to pay his respects, having just returned from Europe.

"How did the Custom House people treat you when you landed?" was asked.

He looked serious as he answered, "You hold a fellow down pretty close these days."

"How is that?"

"Why, for the first time in my life I had to pay full duty."

"Did you, indeed, and how much did you pay?"

"One thousand dollars."

"Did you enjoy it?"

"No, I cannot say I enjoyed it, but—," and here his face brightened visibly, "I must say I feel more respectable. It is almost worth the price not to have the sneaking sensation that a fellow used to have when he landed a lot of stuff that he ought perhaps to have paid duty on."

This man is a fair example of his type. Men worth millions of dollars, knowing the lax system in vogue, have in the past bribed inspectors and smuggled in goods, not because they had to, nor yet because they cared for the money particularly. They were simply victims of a generally accepted condition. Knowing that many others did it, they committed perjury and broke the laws of their country and helped to make criminals of the Government representatives whom they found as guardians of the customs regulations. The system was demoralizing all around. It kept up its incessant grind, producing malefactors on both sides of the line. The customs inspector, receiving $4 a day, was inevitably demoralized by the spectacle of the wealthy man whom he found willing to perjure himself for the sake of escaping duty amounting to a few hundreds or thousands of dollars. It was inevitable that the inspector should argue that "if this man with all his money is willing to become a law-breaker for a sum of money that is insignificant to him, why should I scruple to do likewise?" So he accepted $20 or $50 or $100, and passed the goods, knowing that he was getting but a very small share of the duties avoided.

Under the new order of things, both sides are infinitely better

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

off; and, undoubtedly, deep down in their hearts they are much better satisfied.

The practice of bribing inspectors and smuggling goods was so notoriously common that it would have seemed a comparatively easy matter to make a criminal case and to break up the whole system. As a matter of fact, nothing was harder. A man living in New York, or Chicago, or Boston, or elsewhere, would land with a large consignment of dutiable goods which he passed through the custom-house without paying a cent, thanks to the connivance of a dishonest inspector. Perhaps the duties would have amounted to $1,000. Instead of paying this sum to the Government, he paid the inspector, say, $100. After he landed his goods, the traveller did not hesitate to boast of his smartness in beating the custom-house. Somehow the Government heard of these remarks. Investigation was made and the Collector notified. The inspector who had passed the goods was sent for and taxed with his action. Of course the man denied his guilt.

"But," said the Collector or examining officer, "what's the use of denying it; the man who paid you the money is telling about it openly. He doesn't attempt to conceal his part in the transaction."

"Well, he does not speak the truth, and I wish you would bring me face to face with him and I'll prove him a falsifier."

"Very well, we'll do it."

So the smuggler was notified and requested to come down to the Collector's office at such and such a time. The inspector in the meantime prepared his defense. He hunted the man up and said to him:

"I understand you've told somebody that you paid me $100 to pass in your goods."

"Yes, I said that. It's true."

"Is isn't true, and you know it isn't."

"It isn't true? Why, man, I gave you the money in person!"

"Oh no, you didn't; just you think again."

And then the inspector called the man's attention to Sections 26 and 27 of the Act of Congress of June 10, 1890, which provide as follows:

"SEC. 26. That any person who shall give, or offer to give or promise to give any money or thing of value, directly or indirectly, to any officer or employee of the United States in consideration of or for any act or omission contrary to law in connection with or pertaining to

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

the importation, appraisement, entry, examination, or inspection of goods, wares, or merchandise, including herein any baggage, or of the liquidation of the entry thereof, or shall by threats or demands, or promises of any character attempt to improperly influence or control any such officer or employee of the United States as to the performance of his official duties shall, on conviction thereof, be fined not exceeding two thousand dollars, or be imprisoned at hard labor not more than one year, or both, in the discretion of the court; and evidence of such giving, or offering, or promising to give, satisfactory to the court in which such trial is had, shall be regarded as prima facie evidence that such giving or offering or promising was contrary to law, and shall put upon the accused the burden of proving that such act was innocent, and not done with an unlawful intention.

"SEC. 27. That any officer or employee of the United States who shall, excepting for lawful duties or fees, solicit, demand, exact or receive from any person, directly or indirectly, any money or thing of value, in connection with or pertaining to the importation, appraisement, entry, examination, or inspection of goods, wares, or merchandise, including herein any baggage, or liquidation of the entry thereof, on conviction thereof, shall be fined not exceeding five thousand dollars, or be imprisoned at hard labor not more than two years, or both, in the discretion of the court. And evidence of such soliciting, demanding, exacting, or receiving, satisfactory to the court in which such trial is had, shall be regarded as prima facie evidence that such soliciting, demanding, exacting, or receiving was contrary to law, and shall put upon the accused the burden of proving that such act was innocent and not done with an unlawful intention."

This makes very impressive reading under certain conditions, and when the inspector reinforces it with the assertion that, if he is convicted of bribe-taking, he will make it his business to see that the other man is convicted of bribe-giving, the other man changes his point of view very rapidly. He will even, if necessary, furnish the inspector with an affidavit declaring his entire innocence. That has been the great difficulty in bringing this matter to a head long ago, that and the regular system and influential connections that had been built up by the offending inspectors in the course of a great many years. When the matter was first systematically taken up by the present administration it was thought that the chief offenders among the passengers, and the only ones who got any substantial pecuniary benefits out of the system, were certain people in business. Experience since March has shown how erroneous was this impression. It has been found that ladies and gentlemen of the most immaculate respectability have not scrupled to make false declarations under oath, in order to escape the payment of a few hundred or a few thousand dollars. Only recently there arrived a woman, the

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

daughter of a manufacturer who had built up a great business under the fostering protection of the tariff. She boasted to her acquaintances on the steamer coming across that the "courtesies of the port" would be extended to her, in consideration of the high standing and the social, political and financial influence of her family. In her declaration, made at Quarantine, she swore that she had nothing dutiable in her baggage. Arrived at the dock, she found that the courtesies of the port were no longer extant, and that her baggage would have to be examined just as any other person's. Her trunks were found to contain draperies and hangings and other dutiable articles on which a tariff amounting to $1,500 was levied. She protested strongly against this action and declared she would not pay it. She was advised that in that event the goods would be seized. Under this pressure she paid the duties, but came at once to Washington to demand restitution and to lodge complaint at what she termed her "outrageous treatment." This was one of the few complaints that have reached the Treasury. The situation was explained to the lady, and every endeavor was made to show her the justice of the system. She declined, however, to be convinced and went away vowing that she would place the matter in the hands of a lawyer. She was advised that this was the proper course to pursue if she felt herself wronged. So far, the Department has heard nothing further from her, and we presume that her lawyer was successful in convincing her of the propriety of the Government's course.

Many women seem peculiarly unable to appreciate the immorality of smuggling and bribing, and to understand that it is as great a crime to swindle the Government as it is to swindle one's neighbor. Not long ago, a gentleman and his wife went to Europe for an extended trip. The wife announced before going that she intended to lay in a stock of laces in Europe that would last her the balance of her life. The husband forbade her doing anything of the kind; and, to make sure that she would not offend, he kept entire control of the money they carried in his own hands. The wife was allowed to buy anything she pleased, but the husband insisted upon paying for it, and he was careful to preserve a complete list of all their purchases. Serene in his confidence that he had frustrated his wife's smuggling designs, the husband reached Quarantine, and in his declaration he gave in all the things that they had bought abroad of which he knew.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

After this declaration had been made out, his wife greeted him triumphantly with the statement:

"Well, I've got those laces."

He didn't believe it and said so.

She proved, however, that she had, having purchased them with money that she had saved out of her housekeeping allowance, and of which he knew nothing. The laces she had concealed on her person. The husband concluded to give his wife a lesson.

On the dock, he made his way out of the line, and hunting up one of the inspectors he pointed out his wife, saying:

"You see that woman there? She has a lot of laces concealed on her person, which she is trying to smuggle into this country."

An inspectress was called, the woman was searched and the laces were found. The husband came to the rescue and paid the duty and the penalties. No amount of reform can altogether prevent smuggling of this character; but it can and does cut it down very materially; and the operations of the professional smugglers, such as the dressmakers and milliners who have been spoken of before, are all but wiped out. Under the old state of affairs, these dressmakers had a regularly organized system which was maintained year after year. The inspectors who were bribed were not paid on the spot. A card with the name and address of the owner was laid on the trunk to be passed, and the inspector put this in his pocket and called later in the day at the hotel or place of business of the smuggler for his pay. An examination of the baggage declarations of certain prominent tradesmen shows that the same inspector handled their baggage every time they arrived from Europe. Knowing in advance the ship that these people were to come on, the inspectors would manœuvre to have themselves sent down to Quarantine to meet that particular vessel. There they would accept the declaration, and when the ship was docked they either passed the trunks in person or else, when this was impossible, saw to it that one of their confederates in the service was posted and passed the trunks.

Long years of immunity had emboldened the dishonest inspectors to such an extent that some of them did not scruple to follow promising-looking passengers to their hotels. These passengers, perhaps, had not had the hardihood or the intention to bribe the inspectors outright to pass their baggage, but would accept its passage free of duty with great satisfaction. When the

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

inspector afterward hunted them up at their hotel or their home, they rarely objected to giving up a generous sum.

The Department has not been content, merely, with dropping the suspected men. It has changed the entire system of baggage supervision. Formerly, the regular examining inspectors were sent down to Quarantine to take the declarations of the passengers. This gave an excellent opportunity to passenger and inspector alike to enter into an arrangement, if it was desired, to pass the baggage. They had all the time between Quarantine and the dock to fix up a deal. Under the present system the inspectors are relieved entirely from the responsibility of taking declarations on the ship. This is done, as the law has always provided it should be done, by deputy collectors, who are generally clerks in the Collector's office, detailed specially for the work. When the ship reaches her dock, these men hand over the declarations they have taken and leave. Their work is finished. The declarations are then given to the inspectors, who do the work for which the law created them—the examining of the baggage. This new arrangement provides many ounces of prevention; and, besides, it greatly facilitates the examination. Generally one inspector is assigned to every five passengers, and the first time they meet is at the head of the opposing lines that are formed on the dock—inspectors on one side, passengers on the other. There is an end here of the possibility of having the one inspector year after year examine the same person's baggage.

It has been charged that the practice of roping off a section of the dock for the examination, and not permitting other than passengers behind these ropes, is a great hardship to persons whose friends have come to the ship to meet them—that it savors of keeping a prisoner in a pen. This regulation has been made for the benefit of the passengers themselves, and it is satisfactory to most of them. Among other things, it prevents a morbidly curious crowd from inspecting at close range the contents of a lady's trunk, and by keeping the outsiders away, pushing and confusion is prevented, so that baggage can be examined in less than half the time formerly consumed.

The complaint is made in some of the newspapers that a passenger is first asked to swear in his declaration to the contents of his baggage, and then, in despite of his oath, he is searched like a criminal when he is on the dock. The passenger is simply re-

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

quired to do what every importer of merchandise must do under the law. There is no difference between the Custom House on the dock and the regular Custom House through which merchandise is passed. In the eyes of the law they are identical. It is rather absurd, therefore, to question the procedure of examination as regards the baggage of incoming passengers, when no one has ever dreamed of questioning the same regulation when applied to the goods of an importer.

It is true that the law, so far as the baggage is concerned, is permissive and not mandatory; and if the experience of the Department had not been such as to make it necessary to enforce a search, there would not to-day be the stringent enforcement that is found at the steamship docks.

Some of the newspapers have been utterly unreasonable in their comments on this matter. For years the press has voiced complaints against the system of bribery and extortion on the docks. Now that the Department has taken hold of the system complained of and has broken it up, its course is impugned in the same quarters, and it is attacked more violently than it was before. The Department is entirely satisfied with the justice of its course and more than pleased with the knowledge that, for the first time in many years, the Government is getting at least a portion of its dues on this account. That it is getting all is too much to expect. Despite the vigilance of the authorities, there is undoubtedly some wrong-doing still. Instead of being systematic, however, it is now sporadic. The great body of inspectors is made up of honorable men. The few dishonest members who may exist know that there is a strict system of surveillance, and they are restrained in the extent of their operations by fear of discovery. As for the passengers, the declarations of incoming steamers prove very clearly the improvement that has been wrought in their moral sense. For the first time many citizens realize that they have bought things abroad. Formerly, such purchases as they made were entirely forgotten until after the dock had been left well behind. The declarations as now filed by the passengers show of late about the same relative increase as the duties collected—that is to say, where one dollar was declared before, four dollars are declared now on the average. It is clear, therefore, that there has been improvement all around.

LYMAN J. GAGE.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

THE OPPORTUNITY OF THE ROOSEVELT ADMINISTRATION.

BY MARRION WILCOX.

WE must try to realize the form and pressure of the time, not as distinct from its central figure, but as influencing and influenced by the President: otherwise, our discussion will have little practical value. Though we may choose for particular mention, in a brief survey like the present, only a few among a thousand plans and tendencies shaped or converging at the national capital, still we must be conscious of all. These are not merely conditions surrounding a new President; so far as the plans have been wisely conceived and well laid, so far as the tendencies may be shown to be of "the very age and body of the time," they are themselves part of the new impulse, the new force that Mr. Roosevelt typifies.

I. THE PARADOX.

Lest a single element of interest should be wanting in the political situation at Washington, fate has decreed that, when we have analyzed the components of the situation, seeking its essence and intending to state that most plainly, we find that we have arrived at a paradox. For the policy of the late President is to continue absolutely unbroken, while a programme identified with the new President is being carried into effect. Differently expressed, the interrupted plans of a man who was essentially a follower of public opinion are to be carried out by a man who is essentially a leader of public opinion. One must say, taking into consideration Mr. Roosevelt's very distinct personality, that the facts of history have seldom lent themselves, in a matter of the highest consequence, to a proposition which at first view seems more self-contradictory and at variance with common sense.

Mr. Roosevelt's declaration at Buffalo to the effect that he

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

would continue the McKinley policies had one consequence which was promptly noted. Said an influential newspaper in October:

"He is now hearing on all sides that his lamented predecessor had 'promised' to do this or that, had 'promised' to appoint Smith, Jones, or Robinson to such and such an office, had agreed to recommend Thingumbob or Whatdyecallem for promotion. No matter what vacancy turns up, eminent gentlemen are always ready to remember that Mr. McKinley had slated—say, Joskins—for the place. No matter what policy or demonstration may come under controversy, we can be sure that some one will bear witness to the late President's pledge—made to him personally—that so and so was his solemn and immutable purpose."

The editor goes on to say that this country has never had a Chief Executive who entered into office more absolutely untrammelled by special bargains and obligations, and concludes with this extraordinary advice:

"Whether he will repudiate at once or by degrees the absurd effort to influence him by the protestations we have alluded to remains to be seen. It seems to us, however, that he can well afford to repudiate at once, and we know that in so doing he will serve himself and reassure his well-wishers."

Repudiation, such as that "well-wisher" lightly counsels, and so far as it relates to other than officious persons who offer frivolous advice, is out of the question. Mr. Roosevelt has once for all examined the obligation of promises much less solemn than his own—those made by political speakers when on the stump or the platform—and expressed his deliberate opinion in the essay entitled "Promise and Performance." He says there:

"No man should be held excusable if he does not perform what he promises, unless for the best and most sufficient reason. This should be especially true of every politician. It shows a thoroughly unhealthy state of mind when the public pardons with a laugh failure to keep a distinct pledge. * * * Of course, matters may so change that it may be impossible for him, or highly inadvisable for the country, that he should try to do what he in good faith said he was going to do. But the necessity for the change should be made very evident, and it should be well understood that such a case is the exception and not the rule. As a rule, and speaking with due regard to the exceptions, it should be taken as axiomatic that, when a man in public life pledges himself to a certain course of action, he shall, as a matter of course, do what he said he would do, and shall not be held to have acted honorably if he does otherwise."

Instead of saying that performance following promise is to be taken for granted, and protesting that the obligation need not be restated at this late day—an attitude toward such matters which always betrays self-consciousness, if not self-righteousness—Mr. Roosevelt, as we notice, simply considers certain external

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

facts objectively. All the more impressive is the quality that is held in reserve. If one's own personal acceptance of a duty is really beyond question, one is the more apt to leave it there. Why think of it, even, in an argument? In the same spirit of realism, we may add, though it is scarcely necessary, that these are the words of a man who at least never set higher standard or made harder rule for others than for himself.

The apparent contradiction that was first referred to will vanish when we investigate its terms.

All over the country, as we write, the probable fate of the reciprocity treaties is being discussed, and the unknown quantity appears to be Mr. Roosevelt's opinion of his duty in relation to Mr. McKinley's plans for the promotion of our foreign commerce. Strictly speaking, the treaties in question are merely the McKinley version of the policy of the Republican party, declared in the platform of 1896; they represent his compliance with the demand made in that platform for the "renewal and extension" of the reciprocity arrangements negotiated by President Harrison's Administration, "on such terms as will equalize our trade with other nations, remove the restrictions which now obstruct the sale of American products in the ports of other countries, and secure enlarged markets for the products of our farms, forests and factories." But, by his advocacy of these measures in the last days of his life, Mr. McKinley had made them peculiarly his own.

It is apparently taken for granted that a continuation of the McKinley policy in this regard by Mr. Roosevelt will bring on a collision with the Senate. A veteran observer, after mentioning the circumstance that the Senate has treated these arguments, and therefore the policy for which they stand, not merely with hostility, but with studied contempt, such as is rarely bestowed upon any President's policy by a legislative body of his own party, concludes that Mr. Roosevelt will attempt to convince the Senate that this policy should be accepted, and that in spite of their obduracy he will prevail. "In the end, the new President's frankness, courage, tenacity and singleness of purpose must win, no matter who the contestants. In a very short time he will have the people at his back, as no President since Washington has had them."

Mr. Roosevelt is sure to win in the long run. Is it, then, absolutely certain that astute Senators will, in the long run, fail to see a foregone conclusion, or that they will deliberately contrive their

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

own humiliation? The President will have the people at his back in this matter, because the people believe in reciprocity as well as in him. Is it absolutely certain that the last refuge of unbelief is the Senate; that the Senate will make no concessions whatever to right and might combined, if given a little time?

And, on the other hand, if it appears that nothing will be lost and so much may be gained by a little delay, does any one really believe that Mr. Roosevelt should make haste to fight for these treaties, without satisfying himself that their provisions are all above criticism?

Those who insist upon the greatest haste may not be the best friends either of the measures or of the President. Furthermore, an excellent reason for not making this the first of all questions to be decided will be mentioned presently.

We are, however, at liberty to anticipate on the President's part no unnecessary concession in any matter—no surrender of the principle involved for the sake of harmony; and most unwise are the suggestions now current that a resort to indirect methods may be advisable when dealing with Senatorial opposition. For example, the author of an article in one of the November magazines says truly that:

> "Men who achieve greatly are always men of primitive instincts, who do their work in the most direct way. There is no legerdemain about the best success; no conjuring, no devious and mysterious machinations. Roosevelt has succeeded in life because by the plainest method he has done in a thoroughly human, unflinching and often humorous way what he had conceived to be the right thing to do."

And yet the same writer, after diving to such a depth, disappoints us by bringing to the surface this conclusion with respect to the reciprocity conventions:

> "To adopt these treaties will require the masterful imperturbability and velvety adroitness which Mr. McKinley used so skillfully. Roosevelt may have to learn this art of fencing."

We cordially hope that he will not learn it, but, on the contray, will once more prove to any masters of political "legerdemain," of "devious and mysterious machinations," who may be concerned, that the rule of his life, great because simple, brings the larger success. Let *them* learn to conform, though late in life, because in the fullness of his strength and with his "primitive instincts," now altogether justified and more vigorous than ever before, he cannot.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Looking into such a situation steadily, we can have no doubts. There is no real choice of ways. Mr. Roosevelt must live up to his record in circumstances which are difficult enough to mislead some of his advisers—that is all. Looking steadily at the careers of the greatest Americans, as it is easier to do when the involved issues have long since passed into history, we can see what it is that makes a man great, in the sense in which Washington and Lincoln were great. It is just the carrying out, on a grand scale in the highest office, of what Mr. Roosevelt has exemplified and advocated in positions which schooled him for the highest.

Moreover, by cultivation during all the years of training, the instincts, or first nature, so to speak, of an untainted man may become second nature as well, establishing a control which is actually stronger than the unfriendly external pressure in any time of trial. In such case, the suggestion to adapt himself pliantly, to conform, to shift his ground craftily, comes too late. Let us thank God for a certain noble incapacity.

As for the suggestion that a President must have regard to expediency as well as principle, look steadily at that also.

A President must have regard for everything—for all his people, including the Senators. Shall we, therefore, admit that in the midst of his battle he will do well to throw away the weapons he has made his own, and which unquestionably fit in a strong man's hand, in order to learn tricks with the foils?

An important matter to consider in this immediate connection is the probable attitude of the South towards the measures of the new Administration.

Warmly sympathetic approval and support for Mr. Roosevelt personally, on the part of the Southern people and the Southern Senators and Representatives, promised, until the middle of October, to make decidedly easier his daily conquest of freedom and the right to enjoy life.

It became known in the Southern States that Democrats would be selected for federal offices when good Republicans were not to be found, and this liberal disposition had already been happily shown in the appointment of ex-Governor Jones as United States District Judge of the Middle and Northern District of Alabama, when a single unrelated act, which certainly was not intended to have any public significance, either social or political, was resented to a degree which would have been appropriate if a pub-

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

lic affront to the high-minded Southerners had been deliberately offered by the President.

In the nature of things, this misunderstanding is temporary. The South is not always to be misled; its strong feeling is not always to be played upon by those whose self-interest prompts them to keep sectionalism alive. At least this particular theme is likely to be soon worn out, for the good feeling manifested by the most warm-hearted people in America when the President first took office was plainly based upon essential sympathy and good understanding, the most substantial grounds of friendship. Southern Democrats are not quite the natural allies of Northern Democrats, the party meaning a different thing socially in the two sections: thus some of the Democrats first mentioned had begun to reason before the incident occurred, and they will certainly resume that train of thought if we are right in believing the basis of friendship to be permanent.

And after the misunderstanding shall have been cleared away, the good results of an earnest discussion of the race question will remain.

If we have had the good fortune to suggest the right word, enough has been said. In dealing with people of the finest temperament, it is certain that our suggestion will strike in the more, the less we bear on.

II. The New Impulse.

A force which could be fully appreciated nowhere but at the city of Washington was perceptible in all of the executive departments of the Government during the first weeks of the new Administration.

While the flags were still at half-mast there was the stir of new life; one who went about among the Government officials became conscious of this everywhere. Everywhere there was, to put it bluntly, a sense of being able to do—to secure appreciative consideration for new plans, and quick recognition of the needs and requirements that surely grow together with the growth of national resources and over-sea enterprises, as though side by side.

An important part of the new President's task would be to carry out, as nearly as possible, the plans and purposes of his predecessor? Granted. But more importance and incomparably more zest attached to the enterprises which would be undertaken upon his own initiative. This conviction was not expressed in

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

words, but rather in the hopefulness with which cherished designs were unfolded.

It is not enough to refer, in explanation of this, to the contagion of the new Executive's energy. In the past most of us have been obliged to learn that uncommon energy may co-exist with a repellent egotism. We have already seen, too, how Mr. Roosevelt is prepared to resist external pressure of a certain sort.

Here we come upon a distinction which cannot be drawn too carefully; for we are dealing with an exceptional man, whose training on one side makes it no easier or more in accordance with second nature to resist unworthy influences than on the other side it is characteristic of his second nature to welcome friendly and useful suggestions.

As a literary man, Mr. Roosevelt has for years made a practice of taking the public into his confidence. He has done in this way more than the novelist, who makes his personal disclosure warily, through fictitious characters placed in feigned situations. Mr. Roosevelt has written without disguise, manifestly from his heart, about actual situations and the issues that seemed to him most real. And to the approachableness which this implies one readily adds all that is needed for further encouragement—that an author is by disposition and cultivation skilled in putting himself in the other man's place, provided the other man deserves respect and confidence; in understanding his motives, too, or at least not shirking the analysis required to penetrate them.

Say, further, that at the moment in our history which we are trying to realize there is the exhilaration of national prosperity. More gold is in the Treasury than it has ever held before; the Secretary is about to announce that the condition of the national finances is strong and satisfactory, despite our neglect to make the most of that fraction of our vast potential wealth which is actually in hand. On the whole, it is a condition of affairs which, to say the least, does not call for immediate and radical measures of relief. Currency and tariff legislation (including the reciprocity feature) may, therefore, be made for a time less prominent than usual, and all the more attention may be bestowed upon the newer problems and those which enter a new phase with the arrival of a new Executive.

As usual, streams from more than one source form the noteworthy current and give it power.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Taking up first the important subject which lies nearest to our hand, we may speak of the accession of the most famous civil service reformer to the Presidency of the United States.

In 1895 Mr. Roosevelt wrote that, from the beginning of the present system of civil service reform, each President of the United States has been its friend, but no President has been a radical civil service reformer. Presidents Arthur, Harrison and Cleveland have all desired to see the service extended, and to see the law well administered. No one of them has felt willing or able to do all that the reformers asked, or to pay much heed to their wishes save as regards that portion of the service to which the law actually applied.

It is still true, as it was then, that there is need of further legislation to perfect and extend the law and the system, but "the opposition to the reform is generally well led by skilled parliamentarians, and they fight with all the vindictiveness natural to men who see a chance of striking at the institution which has baffled their ferocious greed."*

There was, at the time just mentioned, "in American public life no one other cause so fruitful of harm to the body-politic as the spoils system," he said; adding that, in order to find out who were the friends and who the foes of the law at Washington:

"Departmental officers, the heads of bureaus, and, above all, the commissioners themselves, should be carefully watched by all friends of the reform. They should be supported when they do well, and condemned when they do ill; and attention should be called not only to what they do, but what they fail to do. To an even greater extent, of course, this applies to the President."

Again, he has written:

"Civil service reform is not merely a movement to better the public service. It achieves that end, too; but its main purpose is to raise the tone of public life, and it is in this direction that its effects have been of incalculable good to the whole community."

A thorough, all-embracing improvement of the civil service—an improvement which has sometimes been referred to as the greatest of all possible administrative reforms—may certainly be worked for more hopefully during the Presidency of the man who, out of the fullness of his knowledge as Civil Service Commissioner, made the statements of fact and opinion which we have quoted. An unprompted zeal in the execution of the law even as it stands is for the first time assured; the enactment by Congress

* "Administration—Civil Service." By Theodore Roosevelt. Page 33.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

of a more comprehensive and rigorous measure is less improbable than at any time within half a century.

Only one circumstance need be mentioned to show the imperative need of extending the operation of the law so that it shall protect all Government employees. Experience proves that, as the number of positions subject to competitive examination has increased, the spoilsmen have fallen upon those positions still undefended or "unclassified" with a greed in very truth ferocious. Thus, the consular branch has gone from bad to worse; the efforts of politicians seeking places for their favorites, dependents or political creditors have been so concentrated upon a part of our foreign service that its posts, but a few hundred in all, are actually exposed to the attacks which were formerly dispersed among many thousands of domestic offices. This deplorable indirect consequence of splendid work is like a public challenge to all those who now have the same work in hand. The pendency of measures for extending our foreign trade is another challenge.

We turn again to the essay from which we have been quoting, and read President Roosevelt's words:

> "There is a chance of putting through the bill to reform the consular service. * * * Instead of wasting efforts by a diffuse support of eight or ten bills, it would be well to bend every energy to securing the passage of the consular bill; and to do this it is necessary to arouse not only the Civil Service Reform Associations, but the Boards of Trade throughout the country, and to make the Congressmen and Senators feel individually the pressure from those of their constituents who are resolved no longer to tolerate the peculiarly gross manifestation of the spoils system which now obtains in the consular service, with its attendant discredit to the national honor abroad."

Such a heartening view of the situation, as it relates to the prospect of improvement in all branches of the public service, may be fairly regarded as representative of the general view of the situation as a whole. We do not mean by singling out this particular feature that it seems likely to be made more prominent than others in the new policy; but one who requires the true outlook upon the newer problems and phases could scarcely make better beginning than precisely here, by closer study than we can offer at present of these factors which, even though mentioned briefly and without emphasis, stand out so distinctly.

And we do require the true outlook. With reference to the Philippines, for instance, at the moment, we have to think of an active insurrection in our island of Samar, involving much loss of

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

life and the infliction of misery. Again, the terms employed may be so unfamiliar that our imagination will fail to respond with a perfect picture when we are told of the work of the United States Signal Corps, now extending the cable system from island to island, connecting headquarters at Manila with Mindoro, Marinduque, Masbate, blockaded Samar and Leyte, Cebú, Negros, Mindanao, Joló and Siasi. We probably have a sense of contrasts not fully realized while considering, in the same connection, a discussion about the number of troops to be kept in the islands, and an appreciation of the Civil Commission's work; the circumstance that the amended act passed by Congress last March makes revocable all franchises in the Philippines granted under its authority, forbids the sale or lease of the public lands, the timber, or the mining rights, and otherwise places obstacles in the way of investors, and the further circumstance that for some time very well-considered steps have been taken to give confidence to the same indispensable class of persons.

We must hear also an occasional voice of protest, as in the platform of one of the political parties in Massachusetts, which declares, "In place of colonial imperialism abroad, we offer to the people progressive democracy at home;" to which the more numerous voices make reply, offering progressive democracy at home, not in place of, but in addition to, whatever may be accomplished abroad.

Now the voice that is heard most clearly of all says:

"The timid man, the lazy man, the man who distrusts his country, the over-civilized man, who has lost the great fighting, masterful virtues, the ignorant man, and the man of dull mind, whose soul is incapable of feeling the mighty lift that thrills 'stern men with empires in their brains'—all these, of course, shrink from seeing us do our share of the world's work by bringing order out of chaos in the great, fair tropic islands from which the valor of our soldiers and sailors has driven the Spanish flag."

And again:

"It is worse than idle to say that we have no duty to perform, and can leave to their fates the islands we have conquered. Such a course would be the course of infamy. It would be followed at once by utter chaos in the wretched islands themselves. Some stronger, manlier power would have to step in and do the work, and we would have shown ourselves weaklings, unable to carry to successful completion the labors that great and high-spirited nations are eager to undertake. The work must be done; we cannot escape our responsibility."*

* "The Strenuous Life." By Theodore Roosevelt. New York, 1900.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

And the extent of our responsibility is defined in Mr. Roosevelt's essay entitled "Expansion and Peace" (December 21, 1899):

"This country will keep the islands and will establish therein a stable and orderly government, so that one more fair spot of the world's surface shall have been snatched from the forces of darkness."

There has been the same ring of sincere conviction in that voice since the Philippine question was broached. There has been no sign of wavering or waiting on the trend of events.

III. A Distinctive Policy.

The advantage of beginning with absolute conviction of right and duty, and of the outcome, is at once apparent.

To the hand that but touches the Philippines they are a nettle; in the hand that holds them tentatively, uncertain whether to keep or let them go, they are a problem, and such they will remain. But this hand grasps them firmly.

Looking steadily at the actual conditions with this inflexible purpose, we shall become aware that some of the difficulties have been of our own making. At the very centre of the Insular Government there existed a state of things which was certain to cause more or less embarrassment; and even a slight, unnoted disturbance of that centre may spread until it becomes at the circumference a widely heralded disaster. We refer to the friction incidental to the transfer of the government from the military to the civil authorities.

The friction was perfectly natural. It would be rather a puzzle to point out any position of honor the incumbent of which does not in reality somewhat resent the coming of his successor. Anywhere we are apt to feel the difference between perfunctory and spontaneous association, however short and easy the joint undertaking; in the Philippines, during many anxious months, American civil commissioners and army officers were side by side, with novel tasks set to them jointly, but without knowing exactly what share fell to each in work that was always hard and often exasperating.

For our present purpose, it is unnecessary to inquire whether the transfer was or was not made as expeditiously as possible. It was a kind of partnership that might easily have become unendurable. The high character of both civil and military officials was proven as by fire, and their perception of the still more serious

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

consequences to the cause that would come from an open rupture deserves grateful praise. So, at least, it appears to those of us who have only been able to look on from a great distance, realizing that thousands of miles are still a serious matter and that the earth is still opaque. We must humbly decline to put half-known rights and wrongs into this balance, as though such weighing of them would determine whether loyal civilian or loyal soldier in the Far East showed the greater generosity or devotion to American interests.

But if we blink last year's facts we shall lose, and deserve to lose, much present comfort. We have to consider for the present and the future the probable achievements of the Civil Government, with the army in such relation to it, or little by little coming to sustain such relation to it, as the army sustains to the civil authorities in other portions of the territory of the United States. This estimate we cannot even begin to make without taking into account the Commission's past troubles.

That the difficulties of the Civil Commission, then, were much increased by the attitude of General MacArthur and the coterie surrounding him is the fact for our present use which is patent to students of Philippine matters; and all unbiased students will probably agree that the happiest results are to be expected from the strengthening of the hands of Governor Taft and his associates. The ground of such confidence is no longer merely the general reputation of the stronger members of the Commission; it is demonstrated ability of a special sort; it is the successful work that has been done under Governor Taft's leadership in this new field of endeavor. More particularly we would mention the Taft measures which were designed to detach from the opposition large elements of the native population and to supply a counterpoise for the hostile Filipino societies.

A very practical question which is certain to be considered in the near future relates to the expenditures and receipts of the Philippine Government. After three years of debate on the ethical principles involved in taking, come the years of debate on the cost of governing what we have taken. It will seem wholly a question of expense or revenue; so war passes into peace. The common opinion is, accordingly, that a development of the Division of Insular Affairs at Washington is likely to occur, since this Division is expected to advise in matters of ways and means,

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

and to take care of business connected with the new possessions. It is also looked to for co-operation with the Philippine Government in all merciful designs for securing the good will of the natives. The latter function alone would be enough to make this Division interesting; but it has still another claim upon our attention, for here the pressure of the time may set free a vigorous young organization (at present subject to the Secretary of War), to assume, perhaps, a separate existence as a distinct Executive Department.

Conflicting rumors are current in regard to the size of the army to be maintained for service in the Philippines, and yet there would seem to be no reasonable doubt as to the broad general principle which should govern in the decision. We may take a hint from patriotic financiers, who, in time of panic, of real or fancied insecurity of the money market, restore confidence by letting the public know that there are inexhaustible funds on hand, which will be used as required. It is high time to stop the foolish talk about not replacing the troops whose terms of enlistment expire—inviting the panic called insurrection by withdrawing too many of the visible securities called regiments. We should rather be disposed to err on the side of safety; for a resolute show of military force will gradually make its actual employment less and less necessary.

The new impulse is all away from that uncertainty which would make of the Philippines a problem and nothing more.

Of all the plans under discussion, none seems more certain to lead its advocates into a perplexing maze than the plans for making the military strength of the country available in a great emergency.

"Our army has never been built up as it should be built up. * * * There is no body from which the country has less to fear, and none of which it should be prouder, none which it should be more anxious to upbuild. Our army needs complete reorganization—not merely enlarging."

Thus Mr. Roosevelt expressed himself in 1899. Last year Secretary Root clearly drew the limits within which the discussion must be confined when he stated that the country must rely for its main strength upon the Volunteers, since the armaments of other powers are so great that almost any conflict in which we may become involved will require a much larger force than any standing army which we are willing to maintain.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

As for the regular army, the Secretary of War has advised in his last published report that provision should be made for a minimum force of 60,000 men, with an authorized maximum of 100,000, while the Lieutenant-General Commanding, in substantial agreement, suggests the proportion of one soldier "to every thousand of population." A very modest estimate this seems, too, when we reflect that to man the Endicott system of defences for our seacoast would require about 100,000 artillerymen and officers, were all the fortifications, by any strange chance, to be called upon for full proof of their serviceableness at the same time.

But how may any sufficient portion of the ten or twelve millions of possible soldiers in the United States be so organized that the combined army of regulars and volunteers will constitute that surest safeguard against war, a reasonable preparation for the use of the great powers of which this nation is possessed?

Many plans have been suggested to the War Department with reference to the organization of an adequate reserve, and the objections thereto, chiefly based upon the strong preference which is so often shown for local control of State troops, are spoken of as often as the plans themselves. The Secretary's great ability may be taxed to keep the doctrine of States' Rights out of the discussion that will ensue if a definite scheme is put forward by the Department. All the plans hitherto suggested involve the status of the National Guard. Is it to be considered as a portion of the fighting force and as a portion of the training school for officers and men? In some parts of the West the desire is felt to make the National Guard a reserve of the army, but in many places in the East the tendency is to treat it merely as a force which shall receive a certain amount of soldierly training.

One plan which has been entertained by some of the very influential officials of the War Department is to give the army its own reserve by increasing the term of enlistment, while making the period of active service no longer than it is at present. According to this arrangement, the men would be held in reserve after the termination of the active period, to be called back to their colors whenever a war should break out. The Department holds that when hostilities begin a volunteer force should be called out, the National Guard being liable to the service of the country for limited periods, say, of six months only, and arrangements being made for the selection of officers for the volunteer forces and

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

the transfer of a certain number of officers and men from the National Guard to the Volunteers. Adequate opportunity for training officers and men should be provided at the service schools.

Claiming and deserving attention at this time are such diverse, interesting themes as these: The advantage of establishing agricultural experiment stations in Porto Rico; the universal extension of the Postmaster-General's pet measure, the rural free delivery system; and our too liberal immigration laws, which fail to keep out laborers of a class tending to depress the labor market, races not readily assimilating with our own, or the most objectionable individuals—even anarchists. But these we can only mention in passing; for we pass naturally from the great subject of the development of the army to the still more important subject of the navy's development. The latter is joined and fastened to a new policy in relation to South and Central America, which may ultimately become the distinctive feature of the policy of the Roosevelt Administration.

A few years ago Mr. Roosevelt wrote of our nation as that one among all the nations of the earth which holds in its hands the fate of the coming years. On the 20th of last May he spoke of it in its relation to the other American republics; spoke of the American republics as having already a joint foreign policy.

At Buffalo (the occasion being the opening exercises of the exposition), in his official character of Vice-President, he extended a greeting on behalf of the United States to the Spanish-American delegates who were present, and assured them as representative persons that the Government of the United States was equally opposed to territorial aggrandizement on this continent by any Old World power and to the invoking of the Monroe Doctrine for the aggrandizement of any one of the American nations at the expense of any other.

That explains the expression, "joint foreign policy." The United States will neither commit acts of aggression nor permit them, at the expense of her weaker neighbors, at the pleasure of the great Powers. She stakes on the issue that splendid destiny which the speaker foresaw:

"We, of the two Americas, must be left to work out our own salvation along our own lines; and * * * among ourselves each nation must scrupulously regard the rights and interests of the others, so that, instead of any one of us committing the criminal folly of trying

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

to rise at the expense of our neighbors, we shall all strive upwards in honest and manly brotherhood, shoulder to shoulder, together."

The Monroe Doctrine "should be regarded simply as a great international Pan-American policy, vital to the interests of all of us."

The idea is caught up, the offer of a guaranty of protection is accepted, let us understand. Some of the South American Presidents are using the phrases "American unity," "union and harmony between all the countries of the Americas," "solidarity." The phrases echo along the Andes, along the months; the echo comes back now in November from the City of Mexico, where the Pan-American Conference is sitting: "We should be neither North, Central nor South Americans, but Americans."

Now let us hear other things, which are quite different from these superb words: rumors, persistent rumors, of a possible clash with Germany about control of American destinies in the republics where a kind of Spanish is spoken: rumors denied—always reappearing.

Let us also speak of them, since others continue to say such indefinite things. Just in an ordinary way we may comment on Germany's course in China: how careful investigations were made secretly and long ago to find suitable territory and a port for her purposes; how elaborate plans were secretly worked out long before even Rumor began to say a word; how preparations were all completed when the opportunity to gain a foothold arrived.

But this is not an idle story; is it history?

Yes, it is history. We really must take care what we say, for here comes the gravest of evening editors, who tells us that "high officers on the Naval Board of Construction have not hesitated to state that the United States navy should exceed that of Germany if the country is to be safe;" he adds that he is tempted to hope for "an international society to prevent naval officers from opening their mouths about questions" of this kind; he ends: "As for a practical method of carrying on a war between the United States and Germany, except in an extremely limited way in the Baltic or the English Channel, there is none."

For the very reason that there could be no attempt to invade the territory of Germany or that of the United States, both nations might feel the freer to try conclusions at sea.

The war that the high officers meant, would be carried on to

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

decide the question of naval supremacy; its theatre would be the Atlantic Ocean. It may not be true that Germany or any other European power has or is likely to have the design to secure new colonies in this hemisphere. But it certainly is a fact that high officers in our navy speak of a possible design to colonize, and its possible result, war. In a very sincere way they have been known to speak of these possibilities, with an air of well-grounded conviction. They hold, first, that some portions of South America offer the most tempting field for colonization to be found anywhere in the world; second, that by a comparison of the naval programmes of Germany and the United States it becomes clear that the German sea-power will be superior to ours in the year 1906; third, that if Germany or any other European nation seeking colonial expansion has a stronger fleet than ours, such country can plant a colony wherever she likes in South America.

"Far better submit to interference by foreign powers with the affairs of this continent," Mr. Roosevelt has written, "than announce that we will not tolerate such interference, and yet refuse to make ready the means by which alone we can prevent it." Long ago he said that we need a fleet of great battleships, if we intend to live up to the Monroe Doctrine. And this from the same source:

"We ask for a great navy, partly because we think that the possession of such a navy is the surest guarantee of peace, and partly because we feel that no national life is worth having if the nation is not willing, when the need shall arise, to stake everything on the supreme arbitrament of war, and to pour out its blood, its treasure, and its tears like water, rather than submit to the loss of honor and renown. * * * We cannot sit huddled. * * * We must build the isthmian canal. * * *"

The naval inferiority referred to related merely to the warships, but the lack of preparation in another respect is equally marked, as our readers may see from the following memorandum, prepared at our request by one of the "high officers" of the navy, and endorsed as to its main points by the leading authorities in that service:

"By far the most important need of the navy at the present time is an increased supply of properly trained and educated young officers. A very large proportion of the officers now in the service are men of ripe experience, and the existing list of admirals and captains is amply sufficient for the needs of the navy for some time to come. But it is in grades below that of command rank, that is, in the grades of lieutenant-commander and below, that the deficiency is noticeable. In these grades, 820 commissioned officers are now allowed by law, but

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

the navy list shows about 130 short of this number, the deficiency existing in the junior grade, that of ensign.

"The vessels now building and contracted for should all be completed by about 1904. It would require, should there be war at that time, nearly 1,000 officers, below the grade of commander, to properly commission for war service all the battle-ships, cruisers, torpedo-boats and armed auxiliaries then on the navy list, and this would leave no officers on the active list available for colliers, supply vessels, such new auxiliaries as might be purchased, or for the various stations on shore duty, where their presence would be absolutely necessary for successful administration; in fact, the navy would find itself, in time of emergency, five or six hundred officers short of the requisite number, and would be obliged to take in volunteers from the merchant service or from civil life, without military (naval) experience, to fill these vacancies.

"The present annual output of the Naval School is only slightly more than sufficient to fill current vacancies, and under existing laws the increase in the body of officers will be small.

"This state of things can be remedied only by increasing the number of appointments to the Naval Academy. The subject is of greater importance than the building of new ships, since the increase of material in the navy has recently gone forward rapidly, while the personnel has been practically at a standstill. Officers cannot be improvised. Volunteers cannot be brought in and trained to do efficient work in a short time. The various technical demands of the service—knowledge of ordnance, of engineering, of navigation, international law and military jurisprudence—all demand thorough training for their successful mastery. It takes about the same length of time to train the young naval officer at the Naval Academy that it does to build a battle-ship in a well-equipped yard."

Finally, there is an opportunity to develop the navy, so that we ourselves may be able to live up to the doctrine which we invite Spanish-America to accept. There is an opportunity, also, to cultivate the friendship of the Spanish-American Republics in the unselfish, noble spirit which makes the Pan-American speech so memorable; and in every proper way to encourage them to prepare for doing their part as well in support of the Monroe Doctrine, now proclaimed as the great policy of all American nations.

But these two opportunities are one.

The magnitude of this opportunity is appreciated when we remember that the reciprocity treaties find in Spanish-America their special field. In a field so vast, their place is seen to be subordinate. They become part of a larger plan, and our paradox is explained. Thus, the most effective method of continuing the late President's plans which looked to reciprocity agreements might be to prosecute the most distinctive of the newer policies.

MARRION WILCOX.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

THE ENGINEER AND THE PROBLEM OF AËRIAL NAVIGATION.

BY REAR-ADMIRAL GEORGE W. MELVILLE, ENGINEER-IN-CHIEF OF THE UNITED STATES NAVY.

"I talk of dreams
Which are the children of an idle brain,
Begot of nothing but vain fantasy,
Which is as thin of substance as the air;
And more inconstant than the wind."
—SHAKESPEARE, "Romeo and Juliet."

IN earlier times many thoughtful men have given unqualified recognition to the uses and delights of the imagination. But could they see now, in the light of history, with what folly human nature has pushed a noble truth to the extreme, they would realize that much of its wisdom and grandeur has been obscured by the abuse of the imagination and undue revelling in its pleasures.

This folly has been always peculiarly manifest in natural science, whence it penetrates to the field of applied mechanics.

Outside of the proven impossible, there probably can be found no better example of the speculative tendency carrying man to the verge of the chimerical than in his attempts to imitate the birds, or no field where so much inventive seed has been sown with so little return as in the attempts of man to fly successfully through the air. Never, it would seem, has the human mind so persistently evaded the issue, begged the question and, "wrangling resolutely with the facts," insisted upon dreams being accepted as actual performance, as when there has been proclaimed time and again the proximate and perfect utility of the balloon or of the flying machine.

Notwithstanding the amount of accurate physical knowledge now possessed by man, and the unremitting efforts on the part of many earnest investigators, pursuing methods of observation and

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

experiment, who have within recent years placed the study of the problem of Aërial Navigation upon a thoroughly scientific basis, it may be truly said that, so far as the hope of a commercial solution of the problem is concerned, man is to-day no nearer fulfillment than he was ages ago when he first dreamed of flying through the air.

Some of the investigators pursue truth for its sake alone, but most of them are spurred on by the hope of some practical application of the principles when they shall have been fully established. Any basis for a hope of practical application must rest in a careful analysis of the possibilities and limitations of both nature and man and the relations involved.

The problem of Aërial Navigation may be regarded in at least three aspects—from the viewpoint of physical science, from that of social science, and from that of purely speculative philosophy. Of these three, we know physical science to be the most exact; we know social science to be to a certain degree exact; and we know that purely speculative philosophy, from its great unreliability, has long since lost much of its caste and standing. From this it follows that, in a consideration of the problem, great importance would attach to the conclusions reached through an investigation of physical phenomena; that, in connection with such conclusions, some results of a study of social conditions would have to be noted; and that any opinion based merely on *a priori* argument would be entitled to slight attention.

The modern engineer, and especially the American engineer of to-day, may be regarded in at least two aspects: first, with regard to his qualifications for solving physical problems by his mathematical and mechanical knowledge and training, and, second, with regard to his position as a business man. In the first aspect, the engineer has been long generally recognized; but commercial necessities now so thoroughly shape and direct his labors that his business abilities should be particularly appreciated.

The engineer, as an important working force in a centre of intense activity, is to-day connected and identified with the manufacturer, with the organization and management of vast business enterprises, and with the solving of problems of capital and labor in the industrial world; and, generally speaking, he is an economist and a "social engineer." He is in close touch with the financier and business man, and knows much of their hopes and

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

fears, their past efforts, present interests, and future prospects. The fully equipped engineer of to-day must be versed in the established facts and laws of physics, especially along mechanical lines, and in their industrial application; and he must possess a wide acquaintance with business principles and methods. He is the connecting link between the business world and the worlds of invention and science. Many engineers are scientists, inventors, business men, and engineers all in one; but the essential meaning of the word "engineer" to-day, in the United States, is that of a technical business man.

It may be readily inferred from what has been said that the engineer is peculiarly qualified to consider the problem of Aërial Navigation in its two most important bearings, physical and social; and the imaginative power which he must possess in order to be a successful designer of machinery and a commercial organizer, should be sufficient guarantee of his ability to conjecture as well as any man of intelligence the possibilities of commercial transportation through the air.

A calm survey of certain natural phenomena leads the engineer to pronounce all confident prophecies at this time for future success as wholly unwarranted, if not absurd.

M. Santos-Dumont can without doubt round the Eiffel tower and return to St. Cloud on a calm day, but no actual trial is needed to show that such a journey is impossible on many days, is always extremely dangerous, and of little or no practical use. The difficulty and danger are due, as has been often shown, to the inability of the balloon to maintain its shape.

In any balloon open at the bottom, as originally constructed, the resistance to collapse at the bottom is practically nothing, being no more than is offered by the weight of the fabric, as in the case of a simple curtain. At the top of a hydrogen-filled balloon twenty feet in diameter the resistance is only one and a half pounds per square foot. This will give way under the normal impact of an air current of only eighteen miles per hour; and as soon as collapse begins the case is aggravated by the concave surface presented to the wind. Metal frame-work within a balloon must seem of doubtful advantage when we consider the increase in weight, the fragile nature of the frame-work, and the large areas of unsupported fabric. The danger of rupture of the latter would be even increased by the presence of the framing.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Closing a balloon at the bottom and maintaining a slight pressure within it, is more promising. Hydrogen, which is the most buoyant gas available for inflation, under a pressure of ten pounds per square foot loses only about one-half of one per cent. of its buoyancy, and the balloon could resist the normal pressure of wind blowing at the rate of twenty-five miles per hour. The fabric of such a balloon twenty feet in diameter would, however, have to sustain a tension of not less than seventeen pounds per running inch. And here we meet a new difficulty; for, unless the pressure within the balloon is limited by means of a safety valve, the tension of the fabric will be increased nearly fourteen pounds for each hundred feet of ascent. The heavier fabric required by the closed balloon becomes still heavier as we increase the size of the balloon, and places it at a disadvantage as compared with the open balloon, which, in turn, even with its lighter weight and consequent greater carrying capacity, must be made of enormous size in order to carry sufficient propelling power to enable it to remain stationary in a wind blowing thirty-five miles an hour.

In a storm at sea, spars, masts, and even sailors are often carried away by the wind. Let there be pictured a craft one hundred times more fragile than a ship, and so circumstanced that the failure of any one of many of its parts will result in almost certain death to all on board. Such a craft may be fairly entitled "The Dirigible Balloon."

Relations that depend on mere size, important in all natural phenomena, are particularly so in the problem of aërial navigation. Such relations are so numerous and intricate that there is no easy way of bunching them all together and drawing correct inferences regarding them, as is so frequently done from the performance of balloons or of flying machines when they are constructed on a small scale for experiment. To say that the dirigible balloon becomes a matter of less difficulty as its size is increased is but a partial statement of the real case. Each phenomenon in its relation to the size must be considered by itself. It will be found that certain difficulties are lessened and others are increased by a change of size. Ways and means having been decided upon, it will be then manifest that one particular size has an advantage over all others. In the problem of navigating the air, there is imposed a minimum limit by the weight of the man

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

to be carried. Certain phenomena, such as the frictional resistance of the air, make for a larger size, but the simpler and more important relations of mass and energy call for a small size.

One may even venture the general statement that, except when the controlling factor is skin resistance, as in swimming, the known relations of mass and energy are such that the problem of self-transportation increases in difficulty with size. There are many illustrations of this to be found in the animal kingdom. That the conditions are easier the smaller the size, is shown in a general way by the great varieties of insect life, there being more of these than of all other animals and plants combined. The very small insects appear to feel the attraction of gravitation no more than a floating particle of dust, which in turn may be said to passively navigate the air without the aid of any mechanism whatever—all of which tends to show how simple the problem may be to nature when relations permit. It is even doubtful whether the largest insects could fall from a sufficient height or project themselves against an obstacle with sufficient velocity to cause actual injury.

It may appear a rather bold statement to say that nature has gone as far as she can in evolving animals of large size, owing to the limitations imposed by gravitation and the materials at her command. Nevertheless this would seem to be borne out by certain facts. Thus, where weight is lessened or neutralized by the buoyancy of water, as in the case of crabs, nature uses the insect structure on a much larger scale than elsewhere. The same is true of animals having bony skeletons, though here the largest wading varieties have been long extinct.

All animals have special endowments of one kind or another; some are fleet of foot, others are fitted for climbing trees, and still others are great burrowers. Nature, in making these special endowments, is confined within comparatively narrow limits. She must work with such materials as phosphate of lime and muscular and other tissues, and depend for the special endowments on mere proportion and such devices as horns, claws and hoofs. Since nature is clearly impartial in the matter of these special endowments, let us suppose them to be eliminated. Not dwelling upon the point that the large animals, in this supposed case, will have an advantage in swimming, since this advantage has no relation to the problem being discussed, all animals will be then on an

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

equal footing as regards their ability to get about, whether by running, jumping, or climbing. The flea, the rabbit, the man, the horse, and the elephant could, in a running high jump, just clear the same fence. In the matter of flight, it is fair to assume that each of these animals would need a free space of, say, one hundred times its own dimensions in order to practice the art. The flea would be able to jump clear across its space or fall through its height and scarcely feel a jar. He could, therefore, fly to his heart's content without the possibility of being hurt. The sparrow could hop at most through a twentieth of its field, and a fall from the height allotted to it would make it an easy prey for the actual cat. The sparrow's flight would be, therefore, not wholly free from danger. A fall through a fifth part of the space allotted to the man would certainly kill him; and yet his flights would be relatively of no greater length than those of the flea.

Coming now to the works of man, a careful analysis and comparison will show them to be limited precisely as are the works of nature. They may be larger, because he can use steel, where nature must be satisfied with phosphate of lime. Also, man has an advantage in being able to use rotating parts, such as the wheel. But the wheel and all other similar devices give him only a minor advantage. His principal advantage lies in his ability to use stronger materials, and this, if anything, will enable him to outstrip nature in the *size* of a flying machine; for we may be permitted to believe that nature has evolved as large a flying creature as is possible with the means at her command. Should man succeed in building a machine small enough to fly and large enough to carry himself, then in attempting to build a still larger machine he will find himself limited by the strength of his materials in the same manner and for the same reasons that nature has. The brain alone of the man-carrying artificial bird may be said to weigh one hundred and fifty pounds. The step from the largest flying creature evolved by nature to the smallest flying machine that will meet the wants of man is, therefore, a very long one. To span that step man has, to help him, only a few mechanical contrivances and the superior strength of steel. Almost every other condition is set against him.

From these considerations, it would seem difficult to name anything that may be possible, and yet upon analysis is found to

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

be more circumscribed by limiting conditions, than is a flying machine capable of carrying a man. That the limitations as to size are being felt by experimenters is shown by the general tendency toward the adoption of the smallest possible size that will carry a human being.

If the foregoing are some of the important physical facts to be considered, it is needless to say that the engineer can see in them no confirmation of the predictions that frequently have been made of a commercial solution of the problem.

If the past is the best prophet, an unbiased review of what mechanical invention has done toward success, by the substitution of one form of aërial machine for another, would lead the engineer to say, also, that, far from supporting a hopeful view, it fills the mind with doubt. But no such review is needed here, since the possibilities of invention depend upon existing physical relations, and these do not seem to point to ultimate success, as we have seen.

Existing modes of transportation are the result of the development and perfection of crafts and vehicles known to prehistoric man. The dug-out and the two-wheeled cart are the historical germs from which have grown the steamship and the automobile; but where, even to this hour, are we to look for the germ of the successful flying machine? The kite is attached to the earth; the balloon and soaring machine, although they may not be said to be attached to the air, must yet obey its whim, and, in the long run, goes where it goes, if not dashed to the ground.

If the safe and speedy dirigible balloon and the successful flying machine are to be realities to-morrow, where is the preparation to-day? The dirigible balloon has reached a point where it seems that its future limits can be marked, and these limits would not be of sufficient range to include anything like success. The successful flying machine, to spring full-fledged from the ashes of present failure, would have to be a Phoenix.

The most logical interpretation of the present development of both the dirigible balloon and the flying machine would seem to be that "Aërial Navigation" is merging into an heroic sport.

Coupled with the prophecies for the commercial utility of the dirigible balloon and the flying machine, we hear predictions as to their extensive use in war.

It may be said, generally, as true of military science, that

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

every great point of offence is met by a great point of defence, though a temporary advantage of one over the other has often occurred. A marked advantage on the side of either offence or defence in the future would have to grow out of scientific discovery and invention of a rare order; and it would partly revolutionize warfare. Since such an advantage would have to be developed gradually, it could not be kept secret, and when it reached the point of practical application in war, it would be possessed, in one form or another, by all the principal powers. They could be, therefore, upon an equal footing as regards their ability to use that advantage.

Applying these general truths to possible Aërial Warfare, for the sake of argument,—and remembering that wind and weather could not be counted on as being permanently favorable or adverse by either of two opposing forces,—we have as the most probable prediction:

The successful dirigible balloon, or the successful flying machine for war purposes, capable of carrying a man or men in addition to ammunition and ordnance, would be such epoch-making inventions as to be possessed by all the principal Powers. When fighting each other, the chances of such machines would be equal. In the case of their attacking land or sea forces, the chances would be exactly even for two great nations battling with each other. At least, we have no rightful reason to give, in advance, the preference to either nation, if they be equally matched; and when one is strong and the other weak, it matters not what the weapons may be, the chances are decidedly in favor of the strong.

The drifting and unmanned balloon, and the unmanned flying machine, would be possessed by all the principal Powers, who would be thus upon an equal footing as regards the use of such weapons. The balloon would be subject to the whim of the wind, and the flying machine would behave like an aimed but unguided rocket of greatly lengthened flight and increased carrying power, and as such both would be wholly unreliable and would be considered of secondary importance as aërial weapons. Their use would be exceedingly costly as compared to the damage they might possibly do to an enemy, and by reason of an unexpected change in wind and weather they might prove, in individual cases, a terrible boomerang to the army or navy using them.

What unmitigated evil to any great nation can be seen in these

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

future weapons, admitting their possibility, it is very hard to discern, though such an idea seems to be entertained by those who love to speculate about the weird and morbid, who would make a vision of to-day the actual terror of to-morrow.

But while we may, for the sake of argument, consider what might happen if aërial warfare were possible, the existing physical relations that already have been considered seem to show that we have no right to expect such warfare, and that, so far as radical departures in military methods are concerned, "prophets whisper fearful change" all to no purpose.

It may be said, however, that in war heroic hazard is at a discount, and that the slightest success with aërial navigation in peace times may serve as a sufficient incentive for individual deeds of daring in the air, such as require the bravest hearts and the most courageous spirits.

Much is often claimed for the promotion of peace in the event of a successful aërial war-machine being perfected in the future, on account of added horrors of warfare and other considerations that will not so well bear investigation, but it is not easy to see how a new weapon of war, possessed by all the principal Powers, could bring about peace.

In his relation to the industrial world, the engineer may be said to be a vital link between the known and the unknown. He helps in the establishment of the knowledge of what is possible and impossible, of what is practicable and impracticable, in their physical, mechanical and commercial relations. His duty in connection with the encouragement of pure science and the application of its most general laws is to level the business world up to that high plane; and his duty in connection with the business world is to level the scientist or high-minded inventor down to an appreciation of the value of practical thought and action.

The engineer may be thus said to be the mediator and adjuster of differences, the interpreter of aims and ambitions, between the worlds of scientific theory and industrial pursuit. So necessary is the engineer to the true welfare and progress of a nation that the day shall soon come, if it is not already here, when his obligations to society will be so universally appreciated and understood that much lack of feeling and sympathy on his part for all classes of men will write "failure" across his name as a "social engineer," as surely as it is now written when he

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

makes a mistake of any consequence in the purely technical work of his profession.

That his duties are most important and delicate, and that his responsibilities may be hardly measured, need not be said; and it is not to be expected that his judgment is unerring. But when he does err, it is rarely on the side of rashness, and all in all he may be considered as the safest guide that the business man may follow.

It need not be fully pictured what the engineer sees to-day in the social aspect of the undecided problem of Aërial Navigation—what he sees of the possibilities for pretension to infallible prophecy, for scientific error, for the pervading of the business world with false hopes, mechanical moonshine, and downright charlatanism.

The engineer lays no claim to final judgment upon physical possibility or impossibility—for no man has a right to such a claim; and though he does not relinquish his right to an approximately fixed opinion in the present which gives him the basis for positive action, he yet may hold a liberal attitude toward what, through further scientific experiment and correct deduction therefrom, Nature may reveal in the future.

But the worst thing that could happen would be a partial success for Aërial Navigation, in which case it would have all the insidious evil of a half-truth and be a commercial counterfeit susceptible of endless circulation. Companies would spring up like mushrooms, and thousands of people would lose the hoarded savings of years. The officers of a few of these companies would be self-deluded; but in the vast number of cases they would consist either of unprincipled promoters who take no personal risk, or else of veritable charlatans intent upon fleecing the public. In one or two instances, the treasuries of unwary Governments might be raided. All this without consideration of frequent and appalling catastrophe.

The engineer takes himself seriously, realizes the importance of his mission, and dwells upon his duty toward society. Accustomed to deal with facts and figures, he sees things in an exact and forceful way. Accustomed to deal with inexorable physical law, he has a keen perception of the dire consequence of error, and from this gets a strong realization of the wrong that a violation of moral or social law would create.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

He tries to approximate the evil and total up the injury that an engineering sham will bring to the nation. He denounces, in unmeasured terms, any so-called mechanical device or unscientific pretension whose existence is a menace to the people's welfare—from the Keely motor to the claims for the great commercial utility of liquid air.

The engineer lives in an atmosphere of accomplishment and *control,* and has an abiding faith in the power of mankind to achieve fair results or to *check* vicious tendencies. The engineer in no way countenances nor has any sympathy with *laissez faire* when applied to mechanical shams. He sees in the worldly spirit of indifference that lets ignorance run its course, the deluded quickly come to grief, or intelligent men be tricked and snared, without any interference, a selfishness and moral turpitude that seem inhuman. So far as it is possible, he believes in checkmating the charlatan, in advising the ignorant, in opening the eyes of the deluded, and in warning the business man when likely to be imposed upon by unprincipled shrewdness.

Bearing in mind the possible formation of stock companies for meretricious ends, the wide-awake engineer notes at all times the agitation of the problem of Aërial Navigation, and persistent public exploitation of experiments whose value is doubtful and of prophecy whose basis is insufficient; and he feels that in such exaggeration there is great danger to the best interests and immediate pursuits of the people.

The engineer hopes that the earnest investigators of the problem, whether they be scientists, inventors, or brother engineers, or, in some cases, all three in one, to whose keeping this problem is to be confided, may so follow the scientific method that in the day to come, when the actual results of their combined labor are seen in full, the solution may be so satisfactory that there can be no doubt as to actual success, or actual failure, or actual limited practicability,—whichever may prove eventually to be the case.

There is one engineer whose opinion at the present hour, after a consideration of some of the more important physical and mechanical facts involved, and after noting, in connection with the conclusion to which such consideration has led, certain social conditions, is that there is no basis for the ardent hopes and positive statements made as to the safe and successful use of the dirigible balloon or flying machine, or both, for commercial transportation

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

or as weapons of war, and that, therefore, it would be a wrong, whether wilful or unknowing, to lead the people and perhaps governments at this time to believe the contrary; and he, therefore, asked to be permitted to put his opinion thus before the readers of this REVIEW.

It has been always the function of science to clip the wings of fancy; and, as it did so, it has revealed a "fairy land" more wonderful than man could conceive, and has enabled him to attain a material comfort and happiness undreamt of. It is, therefore, not unreasonable to suppose that, if in the future physical discoveries actually show this now undetermined art to possess no commercial utility or military value, and to involve too much difficulty and danger as a sport to be universally indulged in, science will have revealed a glimpse of practical possibilities which, in their realization, shall surpass all present dreams.

GEO. W. MELVILLE.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

SHALL THE MONROE DOCTRINE BE MODIFIED?

BY WALTER WELLMAN.

HAS not the time come to modify and modernize the Monroe Doctrine? Not by any means to abandon it, but to preserve and strengthen it by a more rational application of its vital principle? Not to confess this principle unsound, but to reaffirm and establish its validity by confining its operation to a region where it is morally defensible and practically important? Not to yield anything that is valuable to the United States, but to take that which is now only an unaccepted and unacceptable fiat, and therefore a standing invitation to trouble, and make it over into a principle which through world-recognition of its justice and soundness shall perpetually and peacefully protect the intrinsic interests of the United States?

In the field of international relations, no more important question now presses for the consideration of American statesmanship. It is vitally and urgently important because world movements are slowly but surely creating a need for such revision. These movements trend inevitably to a clash with the Monroe Doctrine. We may now take up revision and dispose of it of our own free will and motion. If we wait much longer there is serious danger that we shall be compelled to take it up in that awkward and uncomfortable hour when the pressure comes not from within but from without. The Doctrine contains a principle of the highest value to the United States. But the form in which that principle is stated is not in harmony with modern conditions. Monroeism served well the justified purposes for which is was devised, but in its original form it has outlived its usefulness. Since it was promulgated, many and vast changes have come to the relations of nations. A comparatively weak

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

state then, the United States has become one of the first Powers of the earth. The republican form of government is no longer an experiment. Instead of maintaining a deliberate policy of isolation, we have been drawn forth into the world field. Instead of standing apart from the family of nations, we have become one of them and have entered into all their inter-related activities. We have aided in changing the underlying spirit of international relationship from the armed and suspicious rivalry of the last century to the modern policy of enlightened self-interest—the policy of toleration, forbearance, respect for the superior rights of others, adjustment of differences along well-understood lines of accommodation—the modern policy which is founded in selfishness, but which nevertheless naturally operates to create a practical international morality.

It is wholly from the standpoint of this enlightened self-interest that the United States should regard the question of a revision of the Monroe Doctrine. As a member of the world family, the United States has not only gathered new power, but assumed new responsibilities; and it must play the game according to the rules which control all alike. But in its Monroe Doctrine the United States has attempted to set up a rule all by itself. The Monroe Doctrine is a fiat which says what may or may not be done outside the sovereignty of the United States and within the sovereignty of certain other Powers which do not accept the fiat, the prescribed field being one in which certain other Powers enjoy equal rights and privileges with the United States, and in which some of them have interests superior to those of the United States. When one member of the family of nations thus attempts to set limitations upon the natural activities of its fellow-members, it must be very sure of having right on its side; and, as to this rule, which has come down to us from the early years of the past century, it is high time the United States were pausing to ascertain the precise relations between our rights and interests and the rights and interests of other Powers in the premises. The world now has its community of nations, and this community, like any other, has its public opinion. To this world-opinion the actions and the policies of all nations which affect other nations must in the end be submitted. The Monroe Doctrine cannot be regarded as an exception. There is no nation so powerful that it can maintain by force a fiat affecting the world

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

but not founded in right and reason, judged by the world's standard. Why have not other Powers accepted the Monroe Doctrine? Is it because the principle is false, or because the scope of its application is too broad? Nothing could be of greater importance to the United States than a correct answer to these questions; for if we do not ourselves find the answer, world opinion will some day find it for us.

The vital principle underlying the Monroe Doctrine is a sound one, and it has been employed by many nations in one way or another. This principle is, simply, the right of a nation to set up prescriptive reservation of a special field of interest and influence. The correctness of the principle is not open to question; the propriety of its application must in every case be judged by the circumstances. Any nation is justified in a declaration of special or superior interest in a given region, but the declaration must be limited to an actual, intrinsic interest. If it goes beyond this, and covers a region in which other nations have equal or superior interest, and they do not withdraw their claims, it cannot be recognized, and thus, in attempting to do too much, it does nothing at all. By spreading too far, it leaves the proper field of self-protection and invades the rights of others. Instead of establishing the principle over the region where it is quite proper that it be established, there is failure to establish it anywhere. The only effective justification of a prescriptive rule is agreement among the Powers of lesser interest to respect the rights of the Power of superior interest and the consequent harmony and peace; but agreement failing, the rule becomes simply a disputed claim and, therefore, a source of irritation and friction. If a given territory is to be taken over by a new sovereign through conquest, treaty or purchase, all nations possess some right to be consulted; and their right is measured according to their interest. If England and France were to declare that Belgium or the Netherlands should not be absorbed by any European Power, they would be within their rights. But neither England nor France would be justified in asserting a permanent broad rule that no European Power should ever be permitted to take territory to the west of its original boundaries. Similarly, the United States would be justified, as it was justified for three-quarters of a century, in the declaration that it would never permit the island of Cuba to pass into the control of another foreign Power than

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Spain, for there the United States had an obvious special interest which the whole world, in that spirit of mutual accommodation which is the base of all international relations, was willing enough to recognize. So, also, would the United States be justified, now that it is about to invest hundreds of millions in a canal piercing the American Isthmus, undertaking a vast responsibility and acquiring a very great and peculiar interest there, in declaring to the world that it reserves the entire isthmus as its special field of influence and activity.

The weakness and falseness of the Monroe Doctrine is that it applies not only to the islands and seas near our shores and to the isthmus, where we have a large and unmistakable special interest, but broadly to the whole hemisphere, in a considerable part of which we have almost no actual interest at all, and where the interest of other Powers is in many cases equal to ours and in some cases far greater than ours. What is the evidence that the United States possesses an interest in middle and lower South America sufficiently greater than that of the remainder of the world to give the United States a reasonable right to exclusive privilege? Not in the preservation of a republican form of government, for as a general principle no nation has a right to dictate what the form of government of any of its neighbors shall be; besides, the Monroe Doctrine applied to Brazil when it was under a monarchy as well as now, when Brazil is a republic; further, the chief countries of Europe, whose possible activities in South America we seek to limit, are better democracies than the best of the governments we seek to perpetuate. Evidence is not found in trade, investment of capital, or colonization, for in all these respects several European nations have vastly greater interests in South America than the United States. It is not found in the danger of greater proximity of European Powers, for proximity is not of itself a danger, except in special circumstances or when accompanied by the menace of enmity. No one will assert that any European power is the enemy of the United States. We have friendly relations with them in all other parts of the world; the assumption that our friendship would be endangered by having them nearer to us is of itself a false and unfriendly note. You may say that you will not have your friend as a dweller in your own house, but you may not with decency or consistency forbid him to live in your neighborhood.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Besides, when the Monroe Doctrine was born proximity counted for much more than it does in this day of electricity, cables, steam and sea power. Now it counts only under special circumstances. We should be justified in saying we did not want Germany in Cuba, or Russia in Mexico, or France in the Isthmus. But what has the political control of Argentina, or Patagonia, or Brazil, or Chili, to do with the security of the United States? The proximity excuse, even if valid, would not hold as to South America. New York is farther from Rio Janeiro than from Hamburg, Bremen, Cherbourg or Liverpool. It is much farther from New York to Buenos Ayres than from New York to any port of western Europe.

The one broad justification of United States exclusiveness in central and lower South America—superiority of interest—does not exist. Is there any particular justification? It might be found in two new declarations accompanying the Monroe Doctrine, as follows:

1. That the United States will at once assume a suzerain's relations to all South American nations, maintaining responsibility for them, standing between them and the remainder of the world, securing or offering redress for all wrongs committed by them, and disciplining such of them as may be rash enough to reject our control.

2. That wherever government fails and disorder or wrong follows in South America, the United States will take over such territory in its rôle of primate Power—as a trustee for civilization—and through annexation and its own superior administration bring about better conditions.

Declaration of such policies as these would be aggression and imperialism of the boldest stamp, and would doubtless involve us in no end of troubles with South American states. But they would afford a better basis for the Monroe Doctrine than none at all, and would at least possess the merit of candor and consistency of an unmistakable though selfish sort. If the United States is going to fence off all America and put up "no trespass" signs against all comers, we must on demand show at least a color of justification. But we cannot in decency put up the signs, forbidding all others to go in and improve, and at the same time declare that we have no intention of doing so. We cannot assume an attitude of responsibility for the selfish purpose of keeping

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

others out, and then repudiate that responsibility in order to save ourselves the trouble of meeting it.

The Monroe Doctrine, as applied to the whole hemisphere, is to-day the one example of a first-class Power setting its strength against progress. There is abroad to-day a world-movement which follows natural law, which is as irresistible as the march of time itself—a movement in which we are ourselves mightily participating in various parts of the globe. This movement is the centralization process, a political phase of the natural law of survival of the fittest. In the present state of international morality, it does not mean the passing of the small into the control of the great, for the doctrine of the absolute domination of the strong over the weak is happily becoming obsolete. The essence of the law and of the movement which springs from it is the passing of the inefficient and unfit and the coming of the efficient and worthy. Thus there is constantly going on the transfer of control from the incompetent to the competent, from the ineffective to the effective, from the inferior to the superior. The first and most important function of government is uplifting the people governed. As the world is now constituted, broadly speaking, all governments which do this are insured against overthrow from without, for it is one of the glories of civilization at the beginning of the Twentieth Century that the strong do not prey upon the weak, so the weak be only competent. But every government which is both weak and incompetent, which fails to meet its responsibilities to its people and to the world, is inevitably threatened both from within and from without. For object-lessons on the bright side of the picture, it is only necessary to cite Switzerland, Belgium, the Netherlands, Denmark, Sweden, Norway. For examples on the darker side, it is only necessary to cite Hawaii, the causes which led to our ousting of Spain from Cuba and the Philippines, European overrunning of semi-savage Africa, the concert of all the Powers in distressed China. This principle of the constantly increasing responsibility of the superior and competent nations, of the constantly lessening sway, influence and territory of the inferior and the incompetent, is the international law of gravity. It is the mightiest force in the progress of the world, the advancement of civilization, the preservation of peace. It is the practical application of the theory of trusteeship which has wrought great works in Africa, in Asia, in

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

the islands of the sea, and which, better than all, has brought with greater and more complex responsibility a higher morality to the chief nations of the world.

There is one exception to the universality of the application of this principle, and only one. This is found in the western hemisphere. The youngest and, all things considered, the greatest and most progressive of the Powers, seeks to put up the barrier and prevent the world-movement touching the shores of America. It recognizes the virtue of the principle everywhere else, and itself aids in its application to the islands of the Pacific and to China; but it has declared it will not have it here. The United States stands absolutely alone in its championship of the incompetent against the competent, in its purpose to perpetuate the rule of the inferior and to bar out that of the superior. If Central and South American governments were Switzerlands, Belgiums, Netherlands and Scandinavias there might be excuse for the United States setting up the dead-line of its imperious will for their protection. But if, like the Swiss, the Belgians, the Dutch and the Scandinavians, these American governments were fulfilling their proper mission, adequately meeting their responsibilities, the protection of the United States would not be needed. The enlightened opinion of the world would protect them, as it protects the minor states of Europe.

The United States would occupy a wholly correct and justifiable position if it assumed that its great power and commanding influence gave it leadership in the western world; that it intends to meet the responsibilities of its leadership; that it will not sit idly by whilst a competent American government, one which has shown its fitness to survive, is being subverted by the superior force of some outsider; that it must have an early and a loud voice in determining what is and what is not international morality on these continents. Such attitude would be irreproachable.

Were the United States to confine its South American declaration to that of a special interest, without any attempt to assert exclusiveness, it would have the free hand. It could meet every case that might arise upon the merits of that case. It could select the instances in which it would have nothing to say, and those in which it might have very much to say. It could protect the competent, but would not be bound to protect the incompetent. It could make sure that in every case to which it extended its

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

interposition it had right and reason on its side. But this is not the Monroe Doctrine. That doctrine sets up an arbitrary, immovable, unvariable rule of action. It declares that not only may we of right, but that we shall and must, interfere in any and every case whatsoever, regardless of the circumstances, where native control is threatened from without. It binds us to interference not only where interference would be a duty, but where it would be a crime. It ties us to the principle that all native control, no matter how wretched or unstable, must be perpetuated at any cost; that no European control, no matter how desirable or promising, can be permitted under any circumstances.

Conditions have greatly changed since the Doctrine declared that European presence in this hemisphere would be a menace to the United States. One European nation is already here, with an area greater than our own, but her presence is not a menace. If British rule in Canada were incompetent; if the people were oppressed; if disorder ensued; if our peace and prosperity were menaced; if our sensibilities were harassed year after year, then it is quite probable we should have to put an end to it. Spain's rule in Cuba and Porto Rico was inefficient and led to so many evils that we finally ousted her, and were well within our rights in doing so. But we did not oust her because she is of Europe; nor because she is a monarchy; nor because she, as a European Power, was a menace to us. We ousted her solely because she was incompetent. We have taken good care to hold in our hands a power over the new Cuba which gives us the right to oust or correct any native misrule that may follow. But as to South America we have declared over and over again that we will not ourselves apply this wholesome rule, and through the Monroe Doctrine we assert that we will not permit any one else to do so.

If a new Prussia or Bavaria were set up in Brazil, a new Italy in Argentina, another Holland in Patagonia, a new Brittany in Guiana, who can say that the result would constitute a menace to the United States? Would there not then be all the greater reason for perpetual peace between those mother countries and the first Power of the western world? Is it not true that the wider the great Powers spread their people and their trusteeship, the more complex and diffuse becomes their responsibility; that the farther they extend their commerce and their capital, the more sure a perpetual world peace? Would not such a European col-

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

onization and control in South America make for good to the United States in every way—in greater stability of government, in a higher civilization, in an uplifting of the people now there and great accretion to their numbers, in broadening markets?

The Monroe Doctrine had its origin more than three-quarters of a century ago. There was justification for it then, but the conditions have wholly changed. There is now no "Holy Alliance" trying to make absolutism and government by divine right dominate the earth. What the Monroe Doctrine was devised to meet has no longer to be met. The Doctrine was a move, and a good one, in the international game of that hour. If we could frighten off the absolutists with a "no trespass" placard, it was a clever thing to do. But why keep the placard up forever, after the rules and aim of the game have wholly changed?

No other nation has accepted the Monroe Doctrine. As yet, it has never been affirmed by any branch of our government save the executive. True, it is well supported by public opinion. But has that public opinion ever paused to analyze it in its modern application? Has it not, rather, placed the Doctrine upon a pedestal and made an idol and a fetich of it, without well comprehending what it signifies? Have not the people fallen down and worshipped it as a sanctified thing, without the slightest conception of whether it is a true or false god, a tower of strength or a sign of weakness? Foreign statesmen marvel that the United States should persist in attempting to force this rule of international relationship upon them. They have not as yet thought it wise to contest it, but they only await the coming of the hour—the occasion when the attitude of the United States is more than usually weak, because without a basis of natural right to stand upon—when the incentive to them is sufficiently important to make the contest worth while. It is as certain as fate that the world will not go on forever, mute and astonished at our dead-line, but crossing it not. And it is certain, too, that when it is crossed it will be crossed at its weakest point, and probably with two or three of the Powers moving side by side. What is the United States to do then? It is not pleasant to think of that emergency. If we are in the right, we shall have nothing to fear. But if we are in the wrong—and the other Powers will take care to select an instance in which we are in the wrong—it may not be so easy to retreat.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

One justification for the Monroe Doctrine often urged is that it keeps European Powers out of America, and therefore minimizes the danger of friction with them. But it does not keep them out. They are there with their capital, their banks, their commerce, their colonists. Even the Monroe Doctrine does not pretend to reach that extreme of exclusiveness which would enable the United States to stop South American countries inviting European capital and European people into their territory. If we cannot stop Europeans going there, we cannot presume to control the perfectly natural consequences of their presence. Yet the validity of the Monroe Doctrine may be tested in precisely such an emergency. Suppose German colonists in large numbers settle in some South American country. They gain a numerical majority in a province. They own nine-tenths of the property, pay nine-tenths of the taxes and constitute the wholesome, intelligent part of the community. Yet they are denied suffrage; are denied participation in the local government; are ruled by corrupt, oppressive, arrogant natives; life and property are insecure; the colonists appeal to Fatherland for help, and help is sent them; there is trouble between Germany and the native government; and, when it is over, the Kaiser establishes a colony and gives it the protection of the German flag. The Monroe Doctrine requires the United States to interpose and say this shall not be; that we will not permit these German colonists to go under the wing of the Fatherland. What right have we to say anything of the sort, and what would be Germany's righteous answer to our interposition? What would be the opinion of the world as to the merits of such a controversy? Should we not be asked where are our interests, our colonists, our capital, the rights of our citizens, that give us license to interfere?

Let us suppose that Italian colonists are so badly treated in some South American country, and Italy herself so wantonly insulted when she attempts to secure redress, that war follows. Surely we have no divine right to prevent Italy exercising her sovereign prerogative of going to war when she has been wronged and flouted. After victory in a costly conflict, Italy may find territory the only available indemnity. We had no right to intervene to stop the war; but now the Monroe Doctrine requires us to intervene to deprive Italy of the natural and proper recompense for her sacrifices.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Let it be supposed, again, that Scandinavian colonists become the numerical majority in the citizenship of a South American country. On some account, such as threatened troubles with some powerful and warlike neighbors, through plebiscite a majority of the voters of that country elect to attach themselves to Sweden and Norway as a colony, hoping thereby to obtain national security. Sweden and Norway accept the responsibility. But the Monroe Doctrine requires the United States to interpose. There may be no Americans or American interests in the colony. The union may be a consummation devoutly to be wished by all friends of peace and progress. It is not aggression that is proposed, or seizure by force, but an amicable arrangement. Nevertheless, the Monroe Doctrine compels the United States, for consistency's sake, to interpose; to say to the colonists they shall not do as they wish with their own; to say to the Scandinavian governments that their activities, praiseworthy though they are admitted to be, are restrained by our will as expressed by Mr. James Monroe in the year 1823.

To such lengths are we led when we adopt as our guide a rule made a long time ago for an emergency then existing but now unknown; a rule which not only commits us to a prescribed line of conduct for ourselves, but to the attempt to prescribe the conduct of our co-equals. While in our pride and prosperity we go confidently along, following the traditional path marked out in 1823, problems are arising in South America. European emigration, European capital are going thither. Difficulties, friction, complications, exasperations will arise. We expect to have a powerful voice in any political rearrangement of that continent which may ensue; and it is a vital, a living question whether we are going to speak as of this day, as practical men at the beginning of the twentieth century, or whether our voice is to come out of the distant past; whether we are to permit ourselves to be involved in trouble by an effort to maintain an antiquated doctrine which requires that we treat all cases according to a hard and fast rule, or whether we shall put in its place the modern, workable policy of the free hand which may be expressed in three words, "Primacy, not exclusiveness."

No nation now presumes to stake off a large part of the world outside its own sovereignty as reserved for its exclusive activities. If it attempts activity beyond its own boundaries, and beyond the

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

field where circumstances give it special rights, it does so frankly upon the basis of open rivalry—that all have the right to compete, and competition must be adjusted on the principle of "give and take." Nearly all the nations have participated in the subdivision of Africa. Nearly all have taken a hand in Asia. The United States has as much right in China as Russia or England, if our policy is such as to send us thither. As Theodore Roosevelt so well said at Minneapolis last September: "The United States must not shrink from playing its part among the great nations. We cannot avoid hereafter having duties to do in the face of other nations." The United States is not shrinking. We have been in China. We are in the great Philippine archipelago with our sovereignty, and we shall build a new nation there, nearly twice as far from our shores as Brazil is from Germany or Italy. We are more or less a factor in what may be called all the world politics of the times. We could not keep out if we would, and we would not if we could. Wherever we go we encounter no arbitrary dead-lines, no trespassing placards. It is not wholly consistent for us to play the game with a free hand in Europe, in Asia, in the islands of the sea, wherever we wish, and at the same time sit as the dog in the manger in all the great region to the south of us.

The vital principle of the Monroe Doctrine should be preserved. To make sure of preserving it where its preservation is all-important to the United States, we should no longer seek to apply it where it is inapplicable, where we have nothing to gain by applying it, and where our enforcement of it may at any time be challenged, with the challenger in the right and us in the wrong. The Doctrine should be modified, so that hereafter it shall apply to a region where it shall be defensible in reason and right. Such a region is found in the West Indies, in the Caribbean Sea and the American Isthmus. Here the United States has the most important interests, everywhere recognized as vastly superior to those of other nations, due to God's arrangement of the lands and the waters, and to our determination to meet the world's need of a ship canal connecting the two great oceans. Through this region passes the great future line of east and west communication, with the canal in the centre, our West Indian possessions on one flank and Hawaii and the Philippines on the other. Were the United States to confine its policy of exclu-

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

siveness to this field, it would be within its obvious and natural rights. Not only would the Powers be willing to recognize our exclusive attitude as to this region, but they would be more prone to accept our general, though modified, claim to primacy throughout the hemisphere, and to make all proper concessions to the sensibilities and interests of their most powerful neighbor in whatever enterprise circumstances and the natural flux of conditions might involve them in the western world.

With one stroke the United States could extricate itself from a false position, relieve the present generation and posterity from the need of hazarding peace in a cause which is practically unimportant and ethically unworthy, and at the same time yield nothing of, but rather add to, its primacy, and greatly strengthen its arms for all the actual work it has to do.

Instead of the Monroe Doctrine, which outlived its usefulness in the century that is gone, let us have, as a practical, workable evolution from it, the Roosevelt Policy of the century that is opening upon us, as follows:

As the chief political and commercial Power of the Western Hemisphere the United States could not view in any other light than as indicating an unfriendly disposition toward the United States an attempt on the part of any European Power to control the destiny or seize the territory of any nation upon the two American continents, unless such attempt were justified by the circumstances surrounding it, judged by the rules of enlightened international morality; and the United States reserves the right to refuse its assent to any political changes upon these continents, weighing the conditions with due regard to its own interests, the rights of the European governments which may be involved, and the welfare and happiness of the American peoples most directly concerned. Inasmuch as the government of the United States is now proceeding to the construction of an isthmian canal connecting the waters of the Atlantic and Pacific oceans, in that enterprise investing large sums of money and undertaking permanent responsibilities of importance not only to the people of the United States, but to the whole world, the United States cannot assent, under any circumstances whatever, to the acquisition by any European or Asiatic power of territory lying upon the isthmus of Darien or bordering the shores of the Caribbean Sea.

WALTER WELLMAN.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

PUBLICITY AS A MEANS OF SOCIAL REFORM.*

BY W. H. BALDWIN, JR., CHAIRMAN OF THE COMMITTEE OF FIFTEEN, NEW YORK.

How to prevent personal liberty from degenerating into unbridled license is a problem which is ever present alike in city, town and country; but it is in the great city that it presents itself in the most difficult form, since the social environment of a city is least favorable to the normal moral development of the individual.

In the attempt to solve this problem, all the organized forces of education, moral, religious and intellectual, on the one hand, are directed towards training the individual to a wiser use of his liberty; while, on the other, certain branches of the City Government are charged with the function of restraining the imperfectly developed individual from a misuse of his liberty which may be detrimental to the mass of his fellow-citizens. There is, however, in our great cities a tendency, resulting from many causes, but primarily from the indifference of the educated classes to their civic responsibilities, toward a state of affairs wherein the very governmental agencies which were designed to restrain the individual within proper bounds foster and encourage the evil use of his liberty for the sake of gain.

In such a situation there is only one effective means of preventing "the sale of law, the purchase of immunity by protected crime, the grinding of the face of poverty by the heel of brutality and authority,"† and that method is the educating of the public to a realizing sense of the true conditions. When the public fully understands any problem which affects seriously the civic life, the intelligent sentiment of the community is not slow to express itself, and better results are sure to follow. All attempts

* This article was written before the election of November 5th, which resulted in the victory of the forces allied against the party in power.

† Brooklyn Eagle.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

to produce better conditions, however, must perforce move very slowly. Genuine, lasting reform is seldom the result of a period of sudden sentimental excitement.

Early in the year 1900 it became apparent to the body politic of the City of New York that the reasonable freedom of the individual had so degenerated through the fostering of vice by the authorities that extreme license in morals prevailed. The evil conditions existing appealed not only to the sympathies of every person who had any sense of justice, but even as well to the authorities who were largely responsible for these conditions.

A committee of men and women who had been studying the matter for some six months, and who had endeavored to eradicate certain of the worst forms of evil by co-operating privately with the authorities, found that their efforts were useless. It became evident that any attempt to bring about genuine results must have the support of the general public after full publicity of the facts. In the fall of 1900 the public was aroused to the horror of the conditions reported, and a mass meeting of citizens was called to decide upon a plan of action. The whole city was stirred with indignation against the existing evils, and the press and the pulpit gave full expression to their purpose to aid and forward the work of reform. A second public meeting was called, and a committee of fifteen citizens, representing various callings and every form of political and religious belief, was appointed and instructed to reform existing conditions.

The publicity given to the plans of the people rendered it difficult for the committee to act expeditiously, because it was a warning to the well organized enemies of decency to be on their guard and to render futile, by every method, any attack made against them.

The exposures already referred to, however, so shocked the community that it caused those in authority to appoint a committee of their own for the express purpose of proving the connection between the police and criminal vice, and also of repressing the flagrant abuses of prostitution. The results of the work of that committee were illuminating,* since after its investiga-

*"For some time I have been much displeased with the recent administration of police affairs. The gentlemen of the Democratic Club generally hold this view. I and they believe that New York should be a clean city.

"We think pool rooms should be closed, gambling suppressed, despicable resorts swept out of existence and vice so treated that it dare not flaunt itself in the faces of innocent persons."—Statement of John Fox, president of the Democratic Club, "New York Journal," December 19, 1900.

"Even the police are soliciting in your district, and the police do not do

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

tion had made clear the truth of all that had been charged, it stopped work as soon as it found that continuance would lead to the destruction of the organization by which it was appointed.

Meanwhile, the investigations of the Committee of Citizens were actively carried on, and an effective working force of expert agents was organized; offices were opened, competent legal counsel engaged, and a chief executive agent, who was formerly Chief of Police of the City of New York, was appointed. With the sympathy of an efficient and honorable District Attorney, whose aim was to co-operate with the reasonable plans of the committee, and with the exceptionally good working organization of experts whose integrity has never been questioned, active work was begun. The policy agreed upon by the committee was to study into the causes of the alarming increase in gambling and the social evil, and to establish the business connection between those engaged in the trade of vice and those whose duty it was to repress it; to inform the public from time to time of the facts; to promote legislation that would make it less difficult to reach offenders, and particularly to suggest means whereby the surroundings of the homes of the poor might be made more wholesome and the allurements and incentives to vice and crime be lessened. It was agreed that the work should be entirely free from any partisan motive; that, although it might be political in its effect, it was far and above any partisan consideration; that the period of its activity might extend to years, or at least until the public should be fully informed and enlightened sentiment should force any party in power to correct the evils.

Investigation soon proved that the gambling spirit had been artificially stimulated to such an extent as to become a distinct menace to the community; that gambling rooms were not only permitted by the authorities to remain open, but were undoubtedly protected in their operations by officers whose duty it was

anything to stop the soliciting. I can produce policemen who have been solicited in your district."—Statement by Richard Croker to Coroner Fitzpatrick at a meeting of Executive Committee of Tammany Hall, "New York Journal," November 16, 1900.

"This evidence could have been obtained by the police as readily as by this committee."—Statement of Lewis Nixon, Chairman "Committee of Five," appointed by Tammany, December 25, 1900.

"Tammany has lost control of the police—the gambling clique is in the saddle, insolent and arrogant.

"Devery's (Chief of Police) maintenance in office is the most eloquent commentary on the situation. He has been furnished lists of gambling places with the request that they be closed. They have not been closed. The situation is intolerable. It cannot endure much longer. I am unable to say why Chief Devery is not forced out."—Statement of Lewis Nixon in "New York Evening World," January 10, 1901.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

to close them. In short, it was obviously a business profitable to the authorities to foster and encourage gambling.

It also appeared that the evil of prostitution in the tenement houses had spread; that it was advantageous to the landlord of the tenement house to rent part of his tenement to the prostitute, since he could thereby obtain larger profit than by renting to the family. And it became evident here also, as had been proved in the case of gambling, that under the prevailing system of protection of criminal vice most vicious results arose from the constantly increasing demands of those who levied the blackmail. Although the appeal for help from the tenement houses was most distressing, the difficulty of holding the landlord responsible was so great that it was found necessary to defer legal action until new laws should be passed through the Legislature. Meanwhile, careful investigation of tenement-house conditions was made.

Pending the introduction and passage of the Tenement House Law,* as recommended by the Tenement House Commission,† which took effect on July 1st, 1901, the attention of the committee was directed particularly to the protection given by the authorities to gambling in its various forms.

It was difficult for a committee of citizens, acting only by due process of law, to attack successfully a combination of gamblers so thoroughly intrenched through the protection and sympathy of the authorities. But never before had there been a combination of all the forces necessary to oppose effectively such a condition of moral anarchy. These forces comprised a competent counsel; an ex-Chief of Police with a corps of expert detectives; a fearless and honest magistrate; a sympathetic and efficient District Attorney, and an attorney in charge of the office of the committee who was thoroughly conversant with the problems under investigation.

The method employed to secure evidence was to send several detectives at different times to a specified gambling house, and to secure evidence against the persons who acted as proprietors or employees. On presentation of affidavits that gambling was carried on at particular times and places, warrants were issued by the magistrate and served by the agents of the committee in conjunction with, although against the wishes of, the police. The warrants having been served, arrest and a trial before the magis-

* Chapter 334 of the Laws of the State of New York for 1901.
† Appointed under Chapter 279 of the Laws of 1900.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

trate followed. In no instance was any effort made to stop gambling as such, but only to demonstrate the fact that the gambling business was "protected" by the police. Only the proprietors or agents of the gambling and pool rooms were arrested, in order, through them, to secure evidence which might connect them with their protectors. In no case were any of the customers detained. The raids resulted in the arrest of ninety-six proprietors and agents of gambling houses, through warrants served by due process of law, after adequate legal evidence had previously been obtained in every case. Finally gambling became unprofitable as a business to those directly engaged in it, or to those who indirectly derived revenue from that source. It was conclusively shown that a committee of citizens could force the police to close gambling rooms which they would not close of their own volition, and that money paid to the police did not ensure protection.

Judge Jerome held ninety-six for the Grand Jury; all were indicted. Thirty-one were brought to trial, and either pleaded guilty or were convicted; seventeen forfeited bail, and the remainder are awaiting trial. No one tried was acquitted.

Meanwhile, evidence was being collected against the tenement house evil. The general conditions had been fully set forth in the admirable Report of the Tenement House Commission,* and the public was impatient for relief.

The recommendations of the Commission were duly enacted into law, taking effect on July 1st, 1901. A tenement house thereby became subject to a penalty of one thousand dollars if it, or any part of it, should be used as a house of prostitution or assignation of any description with the permission of the owner thereof, the penalty to be a lien upon the house and lot, and the owner to be deemed to have permitted prostitution to exist if proceedings for removal were not commenced within five days after a prescribed service of notice by the Department of Health. Since July 1st, when the law took effect, the committee has

*"The steady growth of vice in the tenement houses has come under the personal observation of members of the commission—prostitution has spread greatly among the tenement houses. This condition has recently grown worse, nor does it appear that there has been sufficient effort on the part of the public authorities to suppress it. We have ascertained that when dissolute women enter a tenement house their first effort is to make friends with the children. * * * The patronage which they can distribute is utilized to make friends and to purchase the silence of those who might otherwise object to their presence. The anxiety of reputable parents living in houses upon which these harlots have descended is most pitiful. * * * We have been led to believe that more girls have been started, in recent years, upon a life of immorality because of their associations in tenement houses, than by all other means combined that supply this traffic. * * *"

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

served notices through the Department of Health upon the owners, lessees and agents of two hundred and thirty-seven tenement houses in the Borough of Manhattan. The evidence submitted is of such a character as to have secured the conviction of persons when cases were brought before the criminal courts of New York County. Prostitution has been eliminated already from at least two hundred of the tenement houses reported. It is not to be understood that the number of houses already taken care of represent more than a fraction of the houses where such conditions exist. As the statements of a single agent of the committee were never taken as a foundation for any action, without the corroboration of at least four additional witnesses, the magnitude of the work may be understood.

The aim has been to do as much effective work as possible within the obvious limitations of any committee of citizens, to demonstrate that the evil conditions exist, and to show that, with a desire on the part of the authorities to act, the worst forms of vice can be eradicated. The work has been confined to those extreme conditions where the evil in human nature has run riot and where humanity has been outraged; to the evils which have been fostered by those whose duty it is to suppress them. Personal liberty has always been respected. Personal license has been attacked. The aim has been to reform conditions only, not to reform men. Such is the real function of any committee so constituted. The reform of the individual can be accomplished only through those moral and educational forces which are properly organized for that purpose, and the work of the committee has aimed at creating conditions under which those influences can work freely with the hope of securing lasting results. The public will not support any committee of citizens who undertake to do any work that does not appeal to the fair and reasonable judgment of a majority of men. The aim to be accomplished, and the methods to be adopted, must appeal to the average man. The imperative necessity is to avoid the demands of the politician and the extremist. Such methods the public will support.

Any effort to improve conditions is always met with criticism both favorable and unfavorable. Expressions of criticism are too often based on uninformed opinions. The individual has his own point of view regarding personal liberty and practical ethics, and he either takes for granted that any effort to change con-

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

ditions should be made according to his idea, or asumes that it is being done contrary to his idea without full knowledge of the facts. It has been the aim of the committee at all times to attempt to do only those things which appeal to any honorable man, and it has been most encouraging to find that, whenever a full statement of motives and methods has been made to any class of citizens, and the real contest between decency and indecency has been clearly defined, earnest sympathy has been shown.

An effort to improve the living surroundings of children cannot lead a reform movement far astray. It is the duty of the citizens as a corporation to protect the home of the poor man even more than the home of the rich; the one cannot help himself, the other is ever ready and able to protect his own. In dealing with prostitution in tenement houses it has been the constant aim not to persecute the sinners, but simply to remove them and to leave the home pure for family life. There has been no desire to persecute the individual who has suffered perhaps by reason of unfair surroundings, but solely to improve the environment for the children, so that they may have reasonable opportunity to grow up into pure manhood and womanhood. The evildoers have been treated in a spirit of charity and with a feeling of sympathy, in that they may have suffered through the neglect of the city to provide reasonable living conditions.

Nothing is more apparent in any reform work than the importance of keeping up a constant public interest. But interest cannot be sustained long under excitement. Actual results, quietly accomplished and made public from time to time, furnish the most effective method of educating public opinion. There is need for persistent, tireless energy. The hope of the evildoer is always that the opposition will cease, that the opponents of evil will soon be discouraged and tire of their work, and he bides his time, knowing from past experience that time will probably relieve him from attack. It is also necessary to have the most expert assistants, well organized and suitably paid for their services. A single serious mistake may be fatal, or cause enough hostile criticism to undo a large amount of good work already done.

It is most encouraging in undertaking such work to know—for it has been demonstrated—that the whole press can be counted on as strong supporters of any effort to reform conditions on sensible lines, so long as the work does not take on a partisan

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

color. All reform movements become necessarily educational in their character. If started on the right basis, and continued long enough, the public will become educated as to the real facts and will see to it finally that better conditions prevail.

The necessity for continued publicity is shown by the fact that, after twelve months of public statements in the press, public reports, public advertising, etc., prominent men who are supposed to be fully posted in regard to all matters pertaining to the city, have not yet realized the exact conditions which exist. When fully informed, however, they express themselves as profoundly shocked to learn the conditions that are actually known and proven. Persistent, untiring work will finally educate the people to a realizing sense of their civic responsibility.

After years of agitation the streets were cleaned and a higher standard of cleanliness was established, and the city can never fall back completely to old conditions. Who would have said five years ago that a free American citizen would ever be prohibited from spitting in public places? Enlightened public opinion finally demanded such a prohibition, and a printed warning that fine and imprisonment would be imposed upon offenders was placed in every public place with most beneficial results. Until recently who listened to the cry of mothers in their complaint against prostitution in tenement houses? Since the true facts have been brought to light, public opinion simply insists that the prostitute must leave the tenement where children live, no matter where she may go.

One of the important results of the year's work is the closer attention of the courts to cases which affect the poor. The sympathy of the whole people has been touched, and no power or influence is now sufficient to protect the owner of a tenement house where children live, if it is used for immoral purposes. It has not been a case of persecution of those who suffer by evil conditions, but the prosecution of those who protect and encourage evil conditions for pecuniary profit.

Allusion has been made only to the most prominent work undertaken and to the methods adopted by this Committee. Many special investigations, however, have been made of collateral subjects bearing on the main problems, which will be of value in framing legislation in the future.

All great cities have much the same problems to meet, and

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

reforms can be made only through the pressure of enlightened public opinion. When the people realize the true conditions, it is safe to predict that their sense of justice will demand a reasonable repression of vice. Public opinion, therefore, must be informed through investigation and report by committees or commissions of reasonable men, who have the confidence of the community. The remarkable growth of public sentiment against the prevailing conditions is the most encouraging illustration of the value of such methods. It is evident that it will not pay, in the long run, for any political party to countenance any evil conditions which affect seriously the surroundings of the home. The opportunity for purity in home life is the most sacred right of the citizen. Under the abnormal conditions which are created by the protection of vice by the authorities, the great moral, religious and educational forces are almost helpless; and it is plainly the principal function of a Citizens' Committee to produce such results that the authorities will be forced to do their duty in order that the moral forces may have a fair opportunity. Given a moral issue, with the truth clearly understood by the public, and no authorities responsible for evil conditions can remain long in power. To permit criminal vice is inexpedient, because it is unjust. The motives which should control such a reform committee have been expressed by the Committee of Citizens who gave the assurance from the beginning "that its work is not and cannot be made partisan or political in purpose; that its object is to improve conditions, not to reform men; that it will not approve of any measures which may result in interference with the liberty of the individual, except where the interest of the public is plainly jeopardized, and that it approaches the entire problem in a spirit of sympathy and pity for those who suffer from an improper and unfair environment, and in a spirit of relentless war against those who foster or who profit from these conditions."

W. H. BALDWIN, JR.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

HOW TO SECURE AN ELASTIC PAPER CURRENCY.

BY H. C. M'LEOD, GENERAL MANAGER OF THE BANK OF NOVA SCOTIA.

ADDRESSES delivered at the recent Bankers' Convention at Milwaukee have infused fresh life into the currency question, especially into that branch of it which relates to the issue of notes by banks.

The notes issued by the Government and those issued at present by the National Banks, being of practically unchangeable volume, are insufficient to perform the exchanges during the seasons of activity, and the result is a periodical condition of stringency in the money market. At other times of the year these notes accumulate at the financial centres, inflating deposits, reducing rates of interest and fostering speculation. The establishment of an elastic currency would remove one important cause of this annual stringency and redundance, as such a currency would accommodate itself to the requirements of commerce, expanding and contracting without exercising any disturbing influence upon business. This assertion is based on the experience of other countries that enjoy the economic advantages of an elastic paper currency.

Elasticity can be obtained only through granting to banks the privilege of issuing notes on conditions which will ensure to them a fair profit. Without profit, the incentive to an issuing bank to keep its notes in circulation is wanting. Given the incentive, profit, each bank will send in for daily redemption all other notes held, paying out only its own. Competition and profit are the only effective incentives to daily redemption, the result being that just enough money will be kept in circulation to supply the needs of trade.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Any system falling short of perfect elasticity and adaptability is defective and must prove unsatisfactory. Under the branch banking system a safe and elastic currency is easily developed, but the American public are not ready to discuss branch banking, being in favor of so-called free banking.

The people rightly demand that all the money of the country shall be good everywhere throughout the country, and that notes that by any chance may become worth less than par shall not be authorized by the Government.

As there are some eight thousand banks operating under the National and State banking systems it is plainly impracticable to empower each bank to issue notes unless control of the engraving and printing is retained by the Government, and the notes guaranteed by or the control given to an association comprising all issuing banks, whose guarantee would be so strong as to ensure absolute protection to every note holder. With such a guarantee, the holder would be indifferent as to the name of the bank actually issuing the paper, just as a holder of a National Bank note now is, feeling that it would not matter even if the bank should fail.

It would seem that this might be accomplished by a plan of co-operation and association between such banks in the national system as would elect to come into, and place themselves under the regulation and supervision of, an Association which might be termed the National Bank of Issue, the Association being subject to the supervision of the Government. The powers of this Association should be strictly limited to the issue and redemption of circulating notes, and to the establishment of branches in central reserve cities solely for purposes of redemption. The notes should be issued in a form and manner similar to those now issued by the United States Treasury to National Banks, each note being redeemable on demand in gold by the Association at any of its branches, or by the bank issuing it to the public on presentation at its place of business. Each bank should be required to keep a cash reserve, say twenty-five per cent. of its outstanding notes, deposited with the Association for the redemption of its issues, and should also deposit with the Association a guarantee fund of say five per cent. to be available for the retirement of issues of insolvent banks. The Governing Committee of the Association should be appointed by the banks of the Association. An

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

efficient staff of bank examiners should be employed, with headquarters at the chief office of the Association. The expenses of the National Bank of Issue, including governmental taxes, should be assessed on the members of the Association in proportion to the average issue of each, and the losses should be apportioned according to the limit of issue of each.

Only the prominent features of the scheme are herein dealt with; the details may be readily worked out should the principle of co-operation receive approval. Such a system as above outlined, if not too heavily taxed, would give a paper currency strikingly similar to and as safe as that of the Government now in use, with as much elasticity as is afforded by any currency in the world.

In adopting it the Government would be making use of the material at hand, and the desired results would be secured without danger of financial disturbance. With the existing facilities for establishing National Banks, and with freedom for each National Bank to join the Association, the scheme conserves all the cherished freedom of the present banking system.

H. C. McLeod.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

THE TIDINGS TO OLAF.

BY BLISS CARMAN.

This is a question arose in the Norse land long ago,
About the time of Yule, the season of joy and snow.
To-morrow, our Christmas Day, can you answer straight and true,
After these thousand years, when the question comes to you?

Olaf sat on his throne, and the priest of Thor stood by;
And the King's eyes were gray as the December sky.

"Whom shall we serve, O King—the god of thy fathers, Thor,
Who made us lords of the sea, and gave us our land in war,

"Who follows our battle flag over the barren brine,
Who braces the bursting heart when the rowers bend in line,

"Who hath made us the fear of the world and the envy of the earth,
Whose splendor sustains us in death, who hath given us plenty for dearth—

"Or this poor, thought-ridden Jew, an outcast whose head was priced
At thirty pieces of silver, this friendless anarchist, Christ?

"Is not thine empire spread over the Western Isles?
Are not thy people sown wherever the sun-path smiles?

"Do there not come to thee iron and gems and corn?
Does not thy glory blaze wherever our trade is borne?

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

"Over the red sea-rim thy galleys go down with the sun;
Beyond the gates of the storm thy written mandates run.

"Behold, new lands arise to the lift of thy daring prows,
And health and riches and joy prosper thy fir-built house.

"Is there lack to thee of aught the strength of thy folk can give,
When the will and the longing come to stretch out thy hand and live?

"Honey and fruit and wine, are they not piled on the board?
Do not a hundred tribes pay tribute to our Lord?

"Olaf, beloved of the gods! Is there an outland tongue,
Is there an isle of the sea where thy praise has not been sung?

"Scarlet and silk and gold gleam on thy breast and brow.
Had the Kings of the earth of old such honor and freedom as thou?

"Might and dominion and power and majesty, are they not thine?
Will the seed of warrior Kings dishonor the war-god's shrine?

"O King, do I speak this day in thy name, or forevermore
Let perish the ancient creed? By thy grace, is it Christ or Thor?"

Olaf sat on his throne. And the Priest of Thor gave place
To a pale, dark monk. All eyes were bent on the stranger's face.

"O King, how shall I speak and answer this wisdom of eld?
Yet new trees of the forest spring up where the old are felled.

"When the sombre and ancient firs are laid in the dust, in your North,
The tender, young green of the birch and the delicate aspen put forth.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

"Is the land left naked and bare, because the brush-fires have run?
Ye have seen the soft carpet of fern spread down where the blackening was done.

"With beauty God covers the ground, no acre too poor to befriend,
That thou and I and all men may perceive and comprehend.

"He carries the sea in His hand, He lights the stars in the sky,
And whispers over thy soul as the shadows move on the rye.

"The King has his kingly state, but his heart is the heart of man,
Swept over by clouds of grief, then sunlit with joy for a span.

"And every living spirit that is clothed with flesh and bone
Is just so much of God's being, His presence revealed and known.

"We are part of God's breath, as the gust, whereby thy hearth-fire is fanned,
Is part of the wild north-wind that rolls the breakers to land.

"We are part of His life, as the waves are a part of the sea,
A moment uplift in the sun, then merged in eternity.

"What is it, O man and King, that stretches between us twain,
Like the living tides that girdle the isles of the main?

"What lifts thy name, Olaf, aloft on the shout of thy folk in war?
What keeps it warm by the hearth? Is it the favor of Thor?

"No! 'Tis the love of thy people, the great common love of thy kind,
The thing that is old as the sun and stronger than the wind.

"And, Olaf, all these things, these goods which thy priest proclaims,
That make thee a lord among men, and give thee a name above names,

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

"Are gifts of the spirit of love. Take away love, and thy throne
Melts like a word on the air, thou art a name unknown.

"Is the King heavy at heart, and no man can tell him why,
What does his glory avail to put the heaviness by?

"But, like any poor nameless man among men, the mighty King
Is heartened among his folk by the simple love they bring.

"Is the King weary in mind, and none can lighten his mood;
What cheers him to power anew but thought of his people's good?

"To love, to know, and to do! So we grow perfect apace,
The human made more divine, as the old to the new gives place.

"But who will show us the way, be lantern and staff and girth?
Where is the Light of the World and the Sweetness of the Earth?

"The King has a thousand men, yet one more brave than the rest;
The King has a hundred bards, yet one the wisest and best;

"The King has a score of friends, yet one most accounted of.
And now, if these three were one, in courage, in wisdom and love,

"There were the matchless friend, whose cause should enlist all lands,
Gentle, intrepid, and true. And there, O King, Christ stands.

"Freedom and knowledge and joy, not mine nor any man's,
But open to all the earth, without prescription or bans,

"Where is the bringer of these? His hand is upon thy door;
And He who knocks, O King, is a greater God than Thor.

"Olaf, 'tis Yule in the world; the old creeds groan and fall,
The ice of doubt at their heart, the snows of fear over all.

"But now, even now, O friends, deep down in the kindly earth,
Are not the marvellous seeds awaiting the hour of birth?

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

"Even now in the sunlit places, do not the saplings prepare
To unfold their new growth to the light, unsheathe their rich buds on the air?

"And so, from the dark, sweet mold of the human heart will arise,
To enmorning the world with light and this life emparadise,

"The deathless, young glory of love. And valley and hill and plain
And fields and cities of men, they shall not sorrow again.

"For there shall be freedom and peace and beauty in that far spring,
And folk shall go forth without fear, and be glad at their work and sing.

"And men will hallow this day with His name who died on the tree,
For the cause of eternal love, in the service of liberty.

"O King, shall the feet of Truth come in through thy open door,
Or alone out of all the world be debarred? Is it Christ or Thor?"

The King sat on his throne, and the two priests stood by;
And Olaf's eyes grew mild as a blue April sky.

Thus were the tidings to Olaf brought in the early days,
To be a lamp in his house, and a sign-post in the ways.
And you, O men and women, does it concern you at all,
That Truth still cries at the cross-roads, and you do not heed his call?

BLISS CARMAN.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

THE SPANISH DEBT.

BY ARTHUR HOUGHTON.

THE origin of the foreign debt of Spain is traced to royal bills placed in the hands of London and Amsterdam bankers, with a lien on the proceeds of Mexican mines and other colonial revenue. The debt of Spain had by degrees increased to $350,000,000 at the close of the eighteenth century, and some idea can be formed of the rate at which the borrowing went on after 1800 from the figures of the loans between June 17th, 1801, and July 21st, 1848—namely, forty-four interior operations of credit in Spain of which the nominal value was $182,937,500, and seventeen exterior operations of credit, chiefly in London, Amsterdam and Paris, for $366,578,500. A few of these served to reimburse in part some favored previous loans, but in the end the creditors of Spain, native and foreign, were not better treated by the parliamentary and constitutional governments of our century than they had been in the days of absolute monarchies, and for the same reason, lack of means to face past engagements and present necessities. As early as 1833 Count Toreno tampered with the exterior or foreign debt, thereby beginning the struggle between Spain and her foreign creditors that terminated in 1882, after nearly fifty years of protests, of negotiations, that wrecked the credit of the country and long excluded its stock from European money markets. Two of Spain's ablest finance ministers, Mon in 1843-45 and Bravo Murillo in 1851, proposed so-called consolidations and conversions that were virtually bankruptcy imposed, *nolens volens*, as a composition upon the long-suffering creditors, who had not been paid a coupon for fifteen years. The foreigners would have nothing to do with these arrangements, and the credit of Spain dropped so low that between 1851 and 1872 she had to issue $881,000,000, nominal, of three per cent. stock to get $205,-

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

000,000 effective cash, to cover mostly her constantly increasing floating debts that simply represented her annual deficits. Spanish finance continued much in the same state until the fall of Isabella II. in 1868, though one of her last ministers, Don Pedro Salaverria, who remained in office several years, did his utmost to reduce deficits and satisfy the creditors of the country. Matters did not mend as regards the debts and deficits during the Spanish Revolution from 1868 to the end of 1874, nor could it have been otherwise in the generally disturbed state of the peninsula, when the governments of Marshal Prim, of King Amadeo, of the Spanish Federal Republic of 1873, and of Marshal Serrano in 1874 were confronted with a formidable rising in Cuba, and a no less troublesome Carlist civil war in fifteen Spanish provinces at home, let alone very serious Federal Republican insurrections in Southern Spain and a permanent Alphonsist conspiracy in the army, navy, civil service and the upper classes of Spanish society. These causes led to an expenditure and a decline of revenue that obliged the governments of the Revolution to stop the payment of the little that was still being paid of the interest of the debts, and to resort to very costly operations of credit that increased considerably the floating and treasury debts. In consequence, after the military pronunciamientos that restored the Bourbons in December, 1874, the governments of Alphonso XII. had much trouble in putting Spanish finance in order, though at first they confined their efforts to the payment of the coupons of the treasury debts and to the payment of about a third of the interest of the exterior and interior debts. Seven years passed before the governments of the Restoration were in a position to undertake a settlement of the then existing debts, which put them on a footing that has lasted eighteen years and been really a new and promising stage in Spanish finance.

It was a Liberal cabinet, at the head of which was Señor Sagasta, the chief of the dynastic Liberals during the last quarter of the nineteenth century, and his finance minister, Don Juan Camacho, that mooted the idea of a consolidation and conversion of the treasury debts and of the exterior and perpetual debts of Spain in 1882. First of all, $345,700,000 of four per cent. stock redeemable in forty years was created, to replace various treasury issues and to wipe off the floating debt. The debts thus converted had cost Spain annually $38,642,000, and the new redeem-

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

able fours only required $19,078,025 a year. Then, after comparatively short negotiations, the native and foreign bondholders of three per cent. consols assented to a conversion into a new four per cent. perpetual debt whereby they agreed to sacrifice a large proportion of their capital and one and a quarter per cent. of their nominal interest. Thus $1,909,753,000 of the old exterior and interior three per cent. consols and railway state-guaranteed bonds were converted into $1,064,799,000 of new four per cent. consols or perpetual debt, of which $394,230,200 were exterior debt and the remainder interior. The Finance Minister made an agreement on June 28th, 1882, with the London council of foreign bondholders by which Spain promised never to put taxes on the exterior debt and to pay the coupons thereon in gold. All these engagements have so far been kept.

The next and last evolution of the reorganization of the Spanish debts took place after the close of the war with the United States. It was no easy task that the Spanish Government had then to undertake. Spain had not only to face the cost of her struggle with Cuba from February, 1895, to April, 1898, the cost of her struggle with the Philippine insurgents from August, 1896, to April, 1898, the cost of the war with the United States, about $300,000,000, but she had to add to her own consolidated debts the debts of Cuba and the Philippines, for which she had given the guarantee of the Imperial Exchequer, $231,050,300. These burdens were added to Spanish budgets at a time when the imperial floating debt had reappeared and accumulated at such a pace between 1882 and 1900 out of annual deficits that it amounted on June 1st, 1900, to $121,216,500, though fifty million dollars of four per cent. redeemable stock, similar to that of 1882, had been issued in 1891 to consolidate $45,000,000 of floating debt.

The Madrid government set to work with decision to put before the country a complete statement of the situation thus created, and of the necessary sacrifices that have been manfully accepted by all concerned. An able and determined Finance Minister, Señor Villaverde, showed the Cortes that if Spain was to keep all her engagements to the letter he must ask them for sixty million dollars more of "ways and means" annually than his predecessors had, which it would be simply impossible to get from taxation alone or from retrenchment in the budget on the old

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

lines. Therefore, he proposed to get from the ratepayers about eighteen million dollars more annually through new taxes and old taxes much recast to produce more revenue, eight million dollars of reductions in expenditure of every kind, and at least thirty-four million dollars from native Spanish bondholders, his intention not being to demand of foreign bondholders any sacrifice at first, and until he had time to submit to them the expediency of assisting a country that was endeavoring to fulfill its engagements as far as possible under very great difficulties. Señor Villaverde was authorized by the Cortes to draw the above $34,000,000 from a suspension of all amortization of the colonial debts and of the Spanish four per cent. redeemable debts of 1882 and 1891, and from a tax of twenty per cent. annually upon the coupons of all the interior debts of Spain, of all the colonial debts and of the part of the exterior debt even that is held by Spaniards. An affidavit had been established by Señor Villaverde's predecessor, Puigcerver, to clearly determine who were the *bona fide* foreign holders of four per cent. exterior debt. The Finance Minister, who had "undertaken the reorganization of the finances of the budget, and of the taxation of Spain," to use his own words, further obtained from the Cortes legislative authorization to reorganize the debts. A law of March 29th, 1900, enacted that the Cuban debts of 1886 and 1890, the Philippine debt of 1896, the Spanish redeemable four per cent., should be converted into Spanish four per cent. consols in such wise as to make no increase in the annual amount that the State would have to pay for interest on these $531,778,000 of stock under the law of August 2d, 1899, which suppressed their amortization and inflicted twenty per cent. income tax on their coupons. By another law, the Spanish holders of about $146,333,720 of exterior debt were offered a bonus of ten per cent. to convert their stock into interior four per cent. consols. Señor Villaverde had been also authorized by the Cortes to convert the floating debt and the war debts and outstanding arrears of the colonial treasuries under the same law of August 2d, 1899, but Parliament had put a limitation to the amount of money that was to be raised for these purposes, fixing the maximum at $260,000,000, effective, which was utterly insufficient to cover in all $440,000,00 of floating debt, treasury debts, war pagares and colonial arrears. So Señor Villaverde elected to make use of the Cortes' authorization to raise only the $198,356,500

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

required to convert or pay off at par the Spanish imperial floating debt of $121,216,500, the customs guaranteed war bonds of $58,320,000, and $18,140,000 of war pagares held by Spanish bankers. This operation was successfully carried out on June 4th, 1900, at Madrid, as the bondholders so readily accepted the proffered conversion that, out of $240,000,000, nominal, of five per cent. redeemable stock, issued with a lien on the revenue of the State tobacco monopoly, to raise the $198,356,500, effective, wanted, only $38,000,000 were not taken up by the bondholders, and were covered twenty-five times in two days by public subscription at the Bank of Spain. When the conversions of debt are completed, the reorganized debt of Spain will consist in the exterior debt bearing four per cent. interest, payable in gold, exempt from income tax, and held by foreigners, to the amount of $208,120,000; the interior four per cent. perpetual debt, with coupons payable in pesetas, and liable to twenty per cent. annual income tax and amounting to $1,276,200,000; the new five per cent. redeemable stock, $240,000,000; the war pagares still held by the Bank of Spain, amounting to $188,965,528, and the credits opened by the Bank of Spain to pay the arrears of colonial treasuries, amounting to $30,000,000.

In the Budget for 1900, which the Cortes voted last winter, the credits asked to meet the requirements of the debt amounted in all to $80,711,427. This sum represents four-ninths of the total annual expenditure of the country, which was fixed in the Budget at $181,090,365. Spaniards are wont to say that four-ninths of their estimates of expenditure are the consequences of the errors and mistakes of the past, at present represented still by nearly two billions of dollars of consolidated and floating debt, whilst other four-ninths are taken up chiefly by unproductive expenditure, and about one-ninth only reserved for such things as public works, education, arts and the home and financial departments of public administration. When the government of Señor Silvela framed what his fellow-countrymen styled the first budget of the reorganization of Spanish finance, public opinion, and especially the Chambers of Commerce, the industrial and commercial classes, the trades and guilds, and the agricultural interests found fault with it because they could not discover in the estimates anything like sufficient or sincere retrenchment, the reform of abuses and sinecures, the reorganization of services to

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

prepare further retrenchment, which the majority of the nation expected as the natural consequences of the lessons of adversity. In fact, one of the most striking symptoms of the change that is coming over the spirit of the nation is this disposition to tell its rulers and politicians that the aim of governments must be in future to cut down unsparingly the unproductive chapters of the budget.

The efforts of the government and of the Cortes did not succeed in realizing on paper in the budget more than $177,199,543 of ways and means to face the $181,090,365 of probable expenditure. The reorganization of Spanish finance thus started with a deficit of $3,890,822. The ways and means of the Spanish budget were drawn from the following sources: Donations and direct taxes, $75,204,158; indirect taxation, $65,128,000; monopolies and services managed by the administration itself, $31,330,004; revenue of state property and royalties, $3,915,650; sales of state property, $404,000; treasury resources, $1,001,000; revenue from Fernando Poo, $16,229. Under the head of donations and direct taxation are interesting items like $200,000 of the civil list volunteered by Queen Christina; $867,400 volunteered by the clergy and nuns with the permission of the Pope; $32,133,408 from real property and taxes on live-stock rearing; $8,566,080 from the industrial and commercial rates; $21,440,000 from the income tax created this year with a view to make all revenues, whether from capital or profits of business, art, intellectual pursuits and labor, contribute to the budget. Under the same head we see that the numerous and productive mines of Spain only pay $1,120,000 of taxes, and that the death rates, succession duties and transfers of property produce $7,200,000 out of the new and considerably increased scales established this year. Carriages produce $156,000, gambling cards $100,000, casinos and clubs $120,000. It is curious to see that four Spanish provinces, Alava, Guipuzcoa, Biscay and Navarre, have still the right to pay their taxes in a lump sum of only $1,341,198, which they assess and raise according to their own local customs and statutes styled "fueros."

Under the head of indirect taxation there are some interesting features. Foremost are the results of the ultra-protectionist policy adopted in 1891-92 by the late Señor Canovas, which had reversed the mild free-trade policy which had prevailed from the days of the Spanish Revolution down to 1891 almost uninterrupt-

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

edly. Under the present protectionist tariff the import duties are expected to produce $24,000,000, the export duties $600,000. Transport duties, collected at the ports and frontiers, and levied on passengers and merchandise inland on railways and rivers, produce $4,700,000. Duties on sugar are expected to give $3,500,000. Duties on alcohol are now virtually prohibitive on foreign alcohols, and tend to encourage the distillation of native alcohols now practiced on a large scale all over Spain. Telegraph and postage stamps produce $4,300,000, and stamped paper and duties $7,100,000. New taxes on gas, electricity and carburo of calcium are reckoned at $900,000. The most unpopular of Spanish taxes "Los Consumos," or rather the share of the State in these octrois or excise duties levied upon articles indispensable for the daily consumption of all classes, entering every Spanish town and most rural parishes, produces $18,920,000.

Under the head of monopolies and services conducted by the administration are the tobacco monopoly, which has been in the hands of a company and is expected to give $24,600,000; matches, also managed by a company, pay $1,000,000; the explosives monopoly that is to furnish a hundred thousand dollars, the state lottery which produces $4,600,000 a year on an average. The properties and rights of the State are ways and means representing the little that has not been used up by past governments of the vast national resources, a miserable remnant indeed, in which the unfinished liquidation of Church and State property is expected to give $400,000; canals and rivers, $240,000; the mines of Linares, $240,000; the famous quicksilver mines of Almaden, managed by the Paris and London Rothschilds, $1,200,000; the salt mines of Torravieja, $126,000. Under the fifth and last section of ways and means we find *"Recursos del Tesoro,"* Treasury resources of insignificant items, except the money that is paid by young men liable to military service under the system of conscription which calls out about 70,000 to 90,000 lads reaching their twenty-first year during the budgetary twelvemonth. Hitherto, three hundred dollars sufficed to buy a man off from service at home, and four hundred dollars to avoid the colonial service, which inspired the families of the quintos with such dread, during the Cuban and Philippine wars from 1895 to 1898, that the revenue derived from the redemption money rose from the old peace average of $1,800,000 a year to over $8,000,000.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

One last trait of the financial policy of the last twenty-five years of the nineteenth century must be placed on record, as it has seriously affected the credit of Spain. From 1875 to 1900, all the governments of the restored monarchy have gone on developing the relations of the Treasury with the Bank of Spain. That establishment had been at first founded with a view to be, as it is at present, the only bank of issue in the peninsula. The maximum of the note issue of the Bank of Spain was at first fixed at $150,000,000 and then increased in 1891, when its charter was renewed for thirty years, to $300,000,000, on condition that the Bank should keep cash in hand, half in gold, half in silver, equal to a third of its note issue. The Bank had pushed its issue of notes first to $150,000,000 and then to $300,000,000, not on account of the calls of the public, not to further trade, agriculture, or mining interests, but exclusively on account of the growth of its connection with the Treasury. In 1882, when the Treasury debts were converted by Camacho, among the creditors of the Treasury who accepted four per cent. redeemable stock, the Bank of Spain stood for such an amount that eighteen years' amortization has only reduced the stock still held by the Bank to about $74,000,000. In 1891, when more floating debts were converted, the Bank received and has kept $757,000 of four per cent. redeemable stock. Then again, in the floating debt that existed on June 1st, 1900, the Bank of Spain held $29,780,225. Nor is this all, as the Bank of Spain was the principal source from which the Treasury drew resources for the Colonial and American wars —so much so that, at the present moment, that Bank holds $188,965,528 of war pagares guaranteed by the Imperial Treasury and is creditor of the State for $30,000,000, being the amount of credits opened with the said guarantee for the liquidation of arrears of the late colonial treasuries. The consequence of all this has been, in the first place, that the note issue of the Bank of Spain, during the war with the United States, in May, 1898, grew so close to the $300,000,000 limit fixed by the charter of 1891, that the Cortes had to empower the Bank to push its note issue over that limit, on condition that all notes issued above the 1891 figures should be guaranteed by cash in hand, half in gold, half in silver, equal to the value of half the notes thus issued over the original $300,000,000. Fortunately, the Bank has succeeded in keeping its note issue very little over $300,000,000, and

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

when the Treasury debts were converted on June 4th, 1900, a step in the proper direction was taken by reimbursing the Bank $29,780,225 of five per cent. Treasury floating debt bonds. The note issue of the Bank on August 10th, 1901, was $328,207,555, against cash in hand to the amount of $70,061,746 in gold and $84,948,851 in silver. The balance sheets of the Bank also reckon as cash $5,605,986 in the hands of its foreign correspondents. It must be borne in mind that bank notes are practically the chief currency of a country where silver is only used for small business transactions and where gold and foreign exchanges still average thirty-nine per cent. premium. Nevertheless, the Spanish Premier, Silvela, and the Minister of Finance, Villaverde, were sanguine that they would be more fortunate than their predecessors. They argued that the proceeds of taxation must soon be improved by what is visible in every direction in the country barely eighteen months after several years of colonial and foreign wars, a disastrous peace and an enormous increase of taxation. They pointed to the extraordinary rebound of trade, especially imports of raw materials, combustibles, machinery, chemicals for native industries, and to the exports of the natural products of the soil and of the mines of the peninsula, which have caused an unprecedented recovery in the traffic of all the railway lines of the kingdom so long on the verge of bankruptcy. They insisted upon the really remarkable confidence shown by purely native savings and native capital being invested in State, provincial and municipal loans, and, what is a far more healthy symptom, in local enterprises, public works, railways, mines, industries, banks, syndicates, credit companies, in fact now competing successfully with the Belgians, French, Germans and British for Spanish business. They were even nearer the truth when they asserted that there is much assessable property which is never made to contribute its proper and fair share to taxation, owing to the well-known and traditional frauds in declarations that were revealed by the last survey in four southern provinces alone when military engineers conducted the said survey, or owing to the equally notorious complicity of public officials trembling before political and electoral magnates. In regard to this state of things, it must be borne in mind that the exchequer and the custom-house in Spain suffer the consequences of the exaggeration of the tariff duties and of the taxes. The tariff duties range from a fiscal minimum in the

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

minority of cases of fifteen per cent. *ad valorem* to three hundred per cent. The taxes on real property, agriculture, live stock, vary from a minimum of eighteen to twenty-three per cent., exclusive of municipal and provincial rates.

Spain is, like all European nations, even if at a slower pace than some, passing into a stage of her financial reorganization in which the politicians will sooner or later have to give precedence to the moral, intellectual and material interests of the nation that have been and are yet so constantly sacrificed to monarchical, dynastic, religious, political, caste and military considerations, or, as a great Spaniard said a very few years ago, to the unfortunate habit of putting what is accidental and transitory above what is permanent and essential. The new spirit is abroad, and stirring all the better and nobler instincts in the ranks of that very middle class which is the principal factor in the widespread demonstrations of the recuperative force of the people of the country. The question is, how soon this awakening will find an echo in the governing classes, and how soon those classes will understand that it is wiser to take the lead of legitimate currents of public opinion than to resist the logical sequence of historic progress in the life of nations. The grandiloquent words of regeneration and reorganization have been very prominent in the speeches and programmes of Spanish statesmen since the close of the war with the United States, but so far very little has been attempted to accomplish either. It stands to reason that neither reorganization nor regeneration can be carried out, at any rate in Spanish finance, without touching very delicate reforms affecting so-called vested interests, traditions, habits in church and state, in the administration and all public services, in the army and navy, which would array against reformers and against progress the still numerous and powerful reactionary elements of the present state of things.

ARTHUR HOUGHTON.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

A PSYCHOLOGICAL COUNTER-CURRENT IN RECENT FICTION.*

BY W. D. HOWELLS.

It is consoling as often as dismaying to find in what seems a cataclysmal tide of a certain direction a strong drift to the opposite quarter. It is so divinable, if not so perceptible, that its presence may usually be recognized as a beginning of the turn in every tide which is sure, sooner or later, to come. In reform, it is the menace of reaction; in reaction, it is the promise of reform; we may take heart as we must lose heart from it. A few years ago, when a movement which carried fiction to the highest place in literature was apparently of such onward and upward sweep that there could be no return or descent, there was a counter-current in it which stayed it at last, and pulled it back to that lamentable level where fiction is now sunk, and the word "novel" is again the synonym of all that is morally false and mentally despicable. Yet that this, too, is partly apparent, I think can be shown from some phases of actual fiction which happen to be its very latest phases, and which are of a significance as hopeful as it is interesting. Quite as surely as romanticism lurked at the heart of realism, something that we may call "psychologism" has been present in the romanticism of the last four or five years, and

*"The Right of Way." A Novel. By Gilbert Parker. Harper & Brothers.
"The Ruling Passion. Tales of nature and human nature." By Henry Van Dyke. Charles Scribner's Sons.
"Spoils and Stratagems. Stories of love and politics." By Wm. Allen White. Charles Scribner's Sons.
"Fomá Gordyéeff." By Maxim Gorky. Translated from the Russian by Isabel F. Hapgood. Charles Scribner's Sons.
"Circumstances." By S. Weir Mitchell, M. D. The Century Company.
"A Japanese Nightingale." By Onoto Watana. Harper & Brothers.
"The Marrow of Tradition." By Charles W. Chesnutt. Houghton, Mifflin & Co.
"Lay Down Your Arms. The autobiography of Martha von Tilling." By Bertha von Süttner. Authorized Translation. By T. Holmes. Longmans, Green & Co.
"Let Not Man Put Asunder." By Basil King. Harper & Brothers.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

has now begun to evolve itself in examples which it is the pleasure as well as the duty of criticism to deal with.

I.

No one in his day has done more to popularize the romanticism, now decadent, than Mr. Gilbert Parker; and he made way for it at its worst just because he was so much better than it was at its worst, because he was a poet of undeniable quality, and because he could bring to its intellectual squalor the graces and the powers which charm, though they could not avail to save it from final contempt. He saves himself in his latest novel, because, though still so largely romanticistic, its prevalent effect is psychologistic, which is the finer analogue of realistic, and which gave realism whatever was vital in it, as now it gives romanticism whatever will survive it. In "The Right of Way" Mr. Parker is not in a world where mere determinism rules, where there is nothing but the happening of things, and where this one or that one is important or unimportant according as things are happening to him or not, but has in himself no claim upon the reader's attention. Once more the novel begins to rise to its higher function, and to teach that men are somehow masters of their fate. His Charley Steele is, indeed, as unpromising material for the experiment, in certain ways, as could well be chosen. One of the few memorable things that Bulwer said, who said so many quotable things, was that pure intellectuality is the devil, and on his plane Charley Steele comes near being purely intellectual. He apprehends all things from the mind, and does the effects even of goodness from the pride of mental strength. Add to these conditions of his personality that pathologically he is from time to time a drunkard, with always the danger of remaining a drunkard, and you have a figure of which so much may be despaired that it might almost be called hopeless. I confess that in the beginning this brilliant, pitiless lawyer, this consciencelessly powerful advocate, at once mocker and *poseur,* all but failed to interest me. A little of him and his monocle went such a great way with me that I thought I had enough of him by the end of the trial, where he gets off a man charged with murder, and then cruelly snubs the homicide in his gratitude; and I do not quite know how I kept on to the point where Steele in his drunkenness first dazzles and then insults the gang of drunken lumbermen, and begins his second life in the river where they have thrown

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

him, and where his former client finds him. From that point I could not forsake him to the end, though I found myself more than once in the world where things happen of themselves and do not happen from the temperaments of its inhabitants. In a better and wiser world, the homicide would not perhaps be at hand so opportunely to save the life of the advocate who had saved his; but one consents to this, as one consents to a great deal besides in the story, which is imaginably the survival of a former method. The artist's affair is to report the appearance, the effect; and in the real world, the appearance, the effect, is that of law and not of miracle. Nature employs the miracle so very sparingly that most of us go through life without seeing one, and some of us contract such a prejudice against miracles that when they are performed for us we suspect a trick. When I suffered from this suspicion in "The Right of Way" I was the more vexed because I felt that I was in the hands of a connoisseur of character who had no need of miracles.

I have liked Mr. Parker's treatment of French-Canadian life, as far as I have known it; and in this novel it is one of the principal pleasures for me. He may not have his *habitant* his *seigneur* or his *curé* down cold, but he makes me believe that he has, and I can ask no more than that of him. In like manner, he makes the ambient, physical as well as social, sensible around me: the cold rivers, the hard, clear skies, the snowy woods and fields, the little frozen villages of Canada. In this book, which is historical of the present rather than the past, he gives one a realizing sense of the Canadians, not only in the country but in the city, at least so far as they affect each other psychologically in society, and makes one feel their interesting temperamental difference from Americans. His Montrealers are still Englishmen in their strenuous individuality; but in the frank expression of character, of eccentricity, Charley Steele is like a type of lawyer in our West, of an epoch when people were not yet content to witness ideals of themselves, but when they wished to be their poetry rather than to read it. In his second life he has the charm for the imagination that a disembodied spirit might have, if it could be made known to us in the circumstance of another world. He has, indeed, made almost as clean a break with his past as if he had really been drowned in the river. When, after the term of oblivion, in which he knows nothing of his past self,

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

he is restored to his identity by a famous surgeon too opportunely out from Paris, on a visit to his brother, the curé, the problem is how he shall expiate the errors of his past, work out his redemption in his new life; and the author solves it for him by appointing him to a life of unselfish labor, illumined by actions of positive beneficence. It is something like the solution which Goethe imagines for Faust, and perhaps no other is imaginable. In contriving it, Mr. Parker indulges the weaker brethren with an abundance of accident and a luxury of catastrophe, which the reader interested in the psychology of the story may take as little account of as he likes. Without so much of them he might have made a sculpturesque romance as clearly and nobly definite as "The Scarlet Letter"; with them he has made a most picturesque romantic novel. His work, as I began by saying, or hinting, is the work of a poet, in conception, and I wish that in some details of diction it were as elect as the author's verse is. But one must not expect everything; and in what it is, "The Right of Way" satisfies a reasonable demand on the side of literature, while it more than meets a reasonable expectation on the side of psychological interest. Distinctly it marks an epoch in contemporary noveling, and mounts far above the average best toward the day of better things which I hope it is not rash to imagine dawning.

II.

I am sure I do not merely fancy the auroral light in a group of stories by another poet. "The Ruling Passion," Dr. Henry Van Dyke calls his book, which relates itself by a double tie to Mr. Parker's novel through kinship of Canadian landscape and character, and through the prevalence of psychologism over determinism in it. In the situations and incidents studied with sentiment that saves itself from sentimentality sometimes with greater and sometimes with less ease, but saves itself, the appeal is from the soul in the character to the soul in the reader, and not from brute event to his sensation. I believe that I like best among these charming things the two sketches—they are hardly stories—"A Year of Nobility" and "The Keeper of the Dight," though if I were asked to say why, I should be puzzled. Perhaps it is because I find in the two pieces named a greater detachment than I find in some others of Dr. Van Dyke's delightful volume, and greater evidence that he has himself so thoroughly and finally mastered his material that he is no longer in danger

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

of being unduly affected by it. That is a danger which in his very quality of lyrical poet he is most liable to, for he is above all a lyrical poet, and such drama as the chorus usually comments is the drama next his heart. The pieces, in fact, are so many idyls, and their realism is an effect which he has felt rather than reasoned his way to. It is implicational rather than intentional. It is none the worse but all the better on that account, and I cannot say that the psychologism is the worse for being frankly, however uninsistently, moralized. A humor, delicate and genuine as the poetry of the stories, plays through them, and the *milde macht* of sympathy with everything human transfers to the pleasant pages the foresters and fishermen from their native woods and waters. Canada seems the home of primitive character; the seventeenth century survives there among the habitants, with their steadfast faith, their picturesque superstitions, their old world traditions and their new world customs. It is the land not only of the habitant, but of his oversoul, the good *curé*, and his overlord the *seigneur*, now faded economically, but still lingering socially in the scene of his large possessions. Their personality imparts a charm to the many books about them which at present there seems to be no end to the making of; and such a fine touch as Dr. Van Dyke's gives us a likeness of them, which if it is idealized is idealized by reservation, not by attribution.

III.

Mr. William Allen White's method is the reverse of Dr. Van Dyke's. If he has held his hand anywhere the reader does not suspect it, for it seems, with its relentless power of realization, to be laid upon the whole political life of Kansas, which it keeps in a clutch so penetrating, so comprehensive, that the reader does not quite feel his own vitals free from it. Very likely, it does not grasp the whole situation; after all, it is a picture, not a map, that Mr. White has been making, and the photograph itself, though it may include, does not represent everything. Some years ago there was a silly attempt to reproach the true painters of manners by calling them photographic, but I doubt if even then Mr. White would have minded any such censure of his conscientious work, and I am sure that now he would count it honor. He cannot be the admirable artist he is without knowing that it is the inwardness as well as the outwardness of men that he photographs, and if the reader does not know it, the worse for the

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

reader. He is not the sort of reader who will rise from this book humiliated and fortified, as any reader worthy of it will.

The author has put his best foot forward in the opening story, "The Man on Horseback," which, when I read it a few years ago in the magazine where it first appeared, seemed to me so perfect in its way that I should not have known how to better it. Of course, this is a good deal for a critic to say; it is something like abdicating his office; but I repeat it. It takes rather more courage for a man to be honest in fiction than out of it, for people do not much expect it of him, or altogether like it in him; but in "The Man on Horseback" Mr. White is at every moment honest. He is honest, if not so impressively honest, in the other stories, "A Victory for the People," "A Triumph's Evidence," "The Mercy of Death," and "A Most Lamentable Comedy;" and where he fails of perfect justice to his material, I think it is because of his unconscious political bias, rather than anything wilfuller. In the story last named this betrays itself in his treatment of a type of man who could not be faithful to any sort of movement, and whose unfaithfulness does not necessarily censure the movement Mr. White dislikes. Wonderfully good as the portrait of Dan Gregg is, it wants the final touch which could have come only from a little kindness. His story might have been called "The Man on Foot," by the sort of antithesis which I should not blame Mr. White for scorning, and I should not say anything of it worse than that it is pitilessly hard, which the story of "The Man on Horseback" is not, or any of the other stories. Sentimentality of any kind is alien to the author's nature, but not tenderness, especially that sparing sort which gives his life to the man who is down.

Most of the men whom Mr. White deals with are down, as most men in the struggle of life are. Few of us can be on top morally, almost as few as can be on top materially; and probably nothing will more surprise the saints at the judgment day than to find themselves in such a small minority. But probably not the saints alone will be saved, and it is some such hope that Mr. White has constantly in mind when making his constant appeal to conscience. It is, of course, a dramatic, not a didactic appeal. He preaches so little and is so effectively reticent that I could almost wish he had left out the preface of his book, good as it is. Yes, just because it is so good I could wish he had left

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

it out. It is a perfect justification of his purpose and methods, but they are their own justification with all who can think about them, and the others are themselves not worth thinking about. The stories are so bravely faithful to human nature in that political aspect which is but one phase of our whole average life that they are magnificently above all need of excusing or defending. They form a substantial body of political fiction, such as we have so long sighed for, and such as some of us will still go on sighing for quite as if it had not been supplied. Some others will be aware that it has been supplied in a form as artistically fine as the material itself is coarse and common, if indeed any sort of humanity is coarse and common except to those who themselves are so.

The meaning that animates the stories is that our political opportunity is trammelled only so far as we have trammelled it by our greed and falsehood; and in this aspect the psychology of Mr. White offers the strongest contrast to that of the latest Russian master in fiction. Maxim Gorky's wholly hopeless study of degeneracy in the life of "Fomá Gordyéeff" accuses conditions which we can only imagine with difficulty. As one advances through the moral waste of that strange book one slowly perceives that he is in a land of No Use, in an ambient of such iron fixity and inexorable bounds that perhaps Fomá's willingness to rot through vice into imbecility is as wise as anything else there. It is a book that saturates the soul with despair, and blights it with the negation which seems the only possible truth in the circumstances; so that one questions whether the Russia in which Turgenieff and Tolstoy, and even Dostoyevsky, could animate the volition and the expectation of better things has not sunk to depths beyond any counsel of amelioration. To come up out of that Bottomless Pit into the measureless air of Mr. White's Kansas plains is like waking from death to life. We are still among dreadfully fallible human beings, but we are no longer among the damned; with the worst there is a purgatorial possibility of Paradise. Even the perdition of Dan Gregg then seems not the worst that could befall him; he might again have been governor.

IV.

If the human beings in Dr. Weir Mitchell's very interesting novel of "Circumstance" do not seem so human as those Russians

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

of Gorky and those Kansans of Mr. White, it is because people in society are always human with difficulty, and his Philadelphians are mostly in society. They are almost reproachfully exemplary, in some instances; and it is when they give way to the natural man, and especially the natural woman, that they are consoling and edifying. When Mary Fairthorne begins to scold her cousin, Kitty Morrow, at the party where she finds Kitty wearing her dead mother's pearls, and even takes hold of her in a way that makes the reader hope she is going to shake her, she is delightful; and when Kitty complains that Mary has "pinched" her, she is adorable. One is really in love with her for the moment; and in that moment of nature the thick air of good society seems to blow away and let one breathe freely. The bad people in the book are better than the good people, and the good people are best in their worst tempers. They are so exclusively well born and well bred that the fitness of the medical student, Blount, for their society can be ascertained only by his reference to a New England ancestry of the high antiquity that can excuse even dubious cuffs and finger-nails in a descendant of good principles and generous instincts.

The psychological problem studied in the book with such artistic fineness and scientific thoroughness is personally a certain Mrs. Hunter, who manages through the weak-minded and selfish Kitty Morrow to work her way to authority in the household of Kitty's uncle, where she displaces Mary Fairthorne, and makes the place odious to all the kith and kin of Kitty. Intellectually, she is a clever woman, or rather, she is a woman of great cunning that rises at times to sagacity; but she is limited by a bad heart and an absence of conscience. She is bold up to a point, and then she is timid; she will go to lengths, but not to all lengths; and when it comes to poisoning Fairthorne to keep him from changing his mind about the bequest he has made her, she has not quite the courage of her convictions. She hesitates and does not do it, and it is in this point she becomes so æsthetically successful. The guilt of the uncommitted crimes is more important than the guilt of those which have been committed; and the author does a good thing morally as well as artistically in leaving Mrs. Hunter still something of a problem to his reader. In most things she is almost too plain a case; she is sly, and vulgar, and depraved and cruel; she is all that a murderess

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

should be; but, in hesitating at murder, she becomes and remains a mystery, and the reader does not get rid of her as he would if she had really done the deed. In the inferior exigencies she strikes fearlessly; and when the man who has divorced her looms up in her horizon with doom in his presence, she goes and makes love to him. She is not the less successful because she disgusts him; he agrees to let her alone so long as she does no mischief; she has, at least, made him unwilling to feel himself her persecutor, and that is enough for her.

Mrs. Hunter is a study of extreme interest in degeneracy, but I am not sure that Kitty Morrow is not a rarer contribution to knowledge. Of course, that sort of selfish girl has always been known, but she has not met the open recognition which constitutes knowledge, and so she has the preciousness of a find. She is at once tiresome and vivacious; she is cold-hearted but not cold-blooded, and when she lets herself go in an outburst of passion for the celibate young ritualist, Knellwood, she becomes fascinating. She does not let herself go without having assured herself that he loves her, and somehow one is not shocked at her making love to him; one even wishes that she had won him. I am not sure but the case would have been a little truer if she had won him, but as it is I am richly content with it. Perhaps I am the more content because in the case of Kitty Morrow I find a concession to reality more entire than the case of Mrs. Hunter. She is of the heredity from which you would expect her depravity; but Kitty Morrow, who lets herself go so recklessly, is, for all one knows, as well born and as well bred as those other Philadelphians. In my admiration of her, as a work of art, however, I must not fail of justice to the higher beauty of Mary Fairthorne's character. She is really a good girl, and saved from the unreality which always threatens goodness in fiction by those limitations of temper which I have already hinted.

V.

It is far from the ambient of any of these imaginary lives to that of the half-caste heroine of "A Japanese Nightingale" and the young American whom she marries in one of those marriages which neither the Oriental nor the Occidental expects to last till death parts them. It is far, and all is very strange under that remote sky; but what is true to humanity anywhere is true everywhere; and the story of Yuki and Bigelow, as the Japanese

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

author tells it in very choice English, is of as palpitant actuality as any which should treat of lovers next door. If I have ever read any record of young married love that was so frank, so sweet, so pure, I do not remember it. Yet, Yuki, though she loves Bigelow, does not marry him because she loves him, but because she wishes with the money he gives her to help her brother through college in America. When this brother comes back to Japan—he is the touch of melodrama in the pretty idyl—he is maddened by an acquired Occidental sense of his sister's disgrace in her marriage, and falls into a fever and dies out of the story, which closes with the lasting happiness of the young wife and husband. There is enough incident, but of the kind that is characterized and does not characterize. The charm, the delight, the supreme interest is in the personality of Yuki. Her father was an Englishman who had married her mother in the same sort of marriage she makes herself; but he is true to his wife till he dies, and possibly something of the English constancy which is not always so evident as in his case qualifies the daughter's nature. Her mother was, of course, constant, and Yuki, though an outcast from her own people—the conventions seem to be as imperative in Tokyo as in Philadelphia—because of her half-caste origin, is justly Japanese in what makes her loveliest. There is a quite indescribable freshness in the art of this pretty novelette—it is hardly of the dimensions of a novel—which is like no other art except in the simplicity which is native to the best art everywhere. Yuki herself is of a surpassing lovableness. Nothing but the irresistible charm of the American girl could, I should think, keep the young men who read Mrs. Watana's book from going out and marrying Japanese girls. They are safe from this, however, for the reason suggested, and therefore it can be safely commended at least to young men intending fiction, as such a lesson in the art of imitating nature as has not come under my hand for a long while. It has its little defects, but its directness, and sincerity, and its felicity through the sparing touch make me unwilling to note them. In fact, I have forgotten them.

VI.

I wish that I could at all times praise as much the literature of an author who speaks for another colored race, not so far from us as the Japanese, but of as much claim upon our conscience,

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

if not our interest. Mr. Chesnutt, it seems to me, has lost literary quality in acquiring literary quantity, and though his book, "The Marrow of Tradition," is of the same strong material as his earlier books, it is less simple throughout, and therefore less excellent in manner. At his worst, he is no worse than the higher average of the ordinary novelist, but he ought always to be very much better, for he began better, and he is of that race which has, first of all, to get rid of the cakewalk, if it will not suffer from a smile far more blighting than any frown. He is fighting a battle, and it is not for him to pick up the cheap graces and poses of the jouster. He does, indeed, cast them all from him when he gets down to his work, and in the dramatic climaxes and closes of his story he shortens his weapons and deals his blows so absolutely without flourish that I have nothing but admiration for him. "The Marrow of Tradition," like everything else he has written, has to do with the relations of the blacks and whites, and in that republic of letters where all men are free and equal he stands up for his own people with a courage which has more justice than mercy in it. The book is, in fact, bitter, bitter. There is no reason in history why it should not be so, if wrong is to be repaid with hate, and yet it would be better if it was not so bitter. I am not saying that he is so inartistic as to play the advocate; whatever his minor foibles may be, he is an artist whom his stepbrother Americans may well be proud of; but while he recognizes pretty well all the facts in the case, he is too clearly of a judgment that is made up. One cannot blame him for that; what would one be one's self? If the tables could once be turned, and it could be that it was the black race which violently and lastingly triumphed in the bloody revolution at Wilmington, North Carolina, a few years ago, what would not we excuse to the white man who made the atrocity the argument of his fiction?

Mr. Chesnutt goes far back of the historic event in his novel, and shows us the sources of the cataclysm which swept away a legal government and perpetuated an insurrection, but he does not paint the blacks all good, or the whites all bad. He paints them as slavery made them on both sides, and if in the very end he gives the moral victory to the blacks—if he suffers the daughter of the black wife to have pity on her father's daughter by his white wife, and while her own child lies dead from a shot fired

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

in the revolt, gives her husband's skill to save the life of her sister's child—it cannot be said that either his æsthetics or ethics are false. Those who would question either must allow, at least, that the negroes have had the greater practice in forgiveness, and that there are many probabilities to favor his interpretation of the fact. No one who reads the book can deny that the case is presented with great power, or fail to recognize in the writer a portent of the sort of negro equality against which no series of hangings and burnings will finally avail.

VII.

In Mr. Chesnutt's novel the psychologism is of that universal implication which will distinguish itself to the observer from the psychologism of that more personal sort—the words are not as apt as I should like—evident in some of the interesting books under notice here. I have tried to say that it is none the less a work of art for that reason, and I can praise the art of another novel, in which the same sort of psychologism prevails, though I must confess it a fiction of the rankest tendenciousness. "Lay Down Your Arms" is the name of the English version of the Baroness von Süttner's story, "Die Waffen Nieder," which has become a watchword with the peacemakers on the continent of Europe. Its success there has been very great, and I wish its success on the continent of America could be so great that it might replace in the hands of our millions the baleful books which have lately been glorifying bloodshed in the private and public wars of the past, if not the present. The wars which "Lay Down Your Arms" deals with are not quite immediate, and yet they are not so far off historically, either. They are the Franco-Austrian war of 1859, the Austro-Prussian war of 1866, and the Franco-German war of 1870; and the heroine whose personal relation makes them live so cruelly again is a young Austrian lady of high birth. She is the daughter and the sister of soldiers, and when the handsome young officer, of equal rank with her own, whom she first marries, makes love to her just before the outbreak of the war first named, she is as much in love with his soldiership as with himself. But when the call to arms comes, it strikes to her heart such a sense of war as she has never known before. He is killed in one of the battles of Italy, and after a time she marries another soldier, not such a *beau sabreur* as the first, but a mature and thoughtful man, who fights through

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

that second war from a sense of duty rather than from love of fighting, and comes out of it with such abhorrence that he quits the army and goes with his family to live in Paris. There the third war overtakes him, and in the siege, this Austrian, who has fought the Prussians to the death, is arrested by the communards as a Prussian spy and shot.

The bare outline of the story gives, of course, no just notion of the intense passion of grief which fills it. Neither does it convey a due impression of the character in the different persons which, amidst the heartbreak, is ascertained with some such truth and impartiality as pervade the effects of "War and Peace." I do not rank it with that work, but in its sincerity and veracity it easily ranks above any other novel treating of war which I know, and it ought to do for the German peoples what the novels of Erckmann-Chatrian did for the French, in at least one generation. Will it do anything for the Anglo-Saxon peoples? Probably not till we have pacified the Philippines and South Africa. We Americans are still apparently in love with fighting, though the English are apparently not so much so; and as it is always well to face the facts, I will transfer to my page some facts of fighting from this graphic book, which the reader may apply to the actualities in the Philippines, with a little imagination. They are taken from a letter written to the heroine by her second husband after one of the Austrian defeats. "The people poured boiling water and oil on the Prussians from the windows of the houses at ———. . . . The village is ours—no, it is the enemy's, now ours again—and yet once more the enemy's; but it is no longer a village, but a smoking mass of ruins of houses. . . . One family has remained behind . . . an old married couple and their daughter, the latter in childbed. The husband is serving in our regiment. . . . Poor devil! he got there just in time to see the mother and child die; a shell had exploded under their bed. . . . I saw a breastwork there which was formed of corpses. The defenders had heaped all the slain who were lying near, in order, from that rampart, to fire over at their assailants. I shall surely never forget that wall in my life. A man who formed one of its bricks was still alive, and was waving his arm. . . . What is happening there? The execution party is drawn out. Has a spy been caught? Seventeen this time. There they come, in four ranks, each

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

one of four men, surrounded by a square of soldiers. The condemned men step out, with their heads down. Behind comes a cart with a corpse in it, and bound to the corpse the dead man's son, a boy of twelve, also condemned. . . . Steep, rocky heights; Jaegers, nimble as cats, climbing up them. . . . Some of them, who are hit by the enemy's shot, suddenly stretch out both their arms, let their muskets fall, and, with their heads falling backwards, drop off the height, step by step, from one rocky point to another, smashing their limbs to pieces. I saw a horseman at some distance, obliquely behind me, at whose side a shell burst. His horse swerved aside and came against the tail of mine, then shot past me. The man sat still in the saddle, but a fragment of the shell had ripped his belly open and torn out all the intestines. The upper part of his body was held to the lower only by the spine. From the ribs to the thighs nothing but one great, bleeding cavity. A short distance farther he fell to the ground, one foot still clinging in the stirrup, and the galloping horse dragging him on over the stony soil. . . . Another street fight in the little town of Saar. . . . In the middle of the square stands a high pillar of the Virgin. The mother of God holds her child in one arm, and stretches the other out in blessing. . . . Here the fight was prolonged, man to man. They were hacking at me, I laying about me on all sides. . . . A Prussian dragoon, strong as Goliath, tore one of our officers (a pretty, dandified lieutenant—how many girls are, perhaps, mad after him?) out of his saddle and split his skull at the feet of the Virgin's pillar. The gentle saint looked on unmoved. Another of the enemy's dragoons—a Goliath, too—seized, just before me almost, my right-hand man, and bent him backwards in his saddle so powerfully that he broke his back—I myself heard it crack. To this the Madonna gave her blessing also."

VIII.

It can be said that these incidents of battle are imagined, like the facts of Vereschagin's pictures, but like these they are imagined rather below than above the real horror of war, and represent them inadequately. The incidents of another book, the last on my list, are of the warfare which goes on in times of peace, and which will go on as long as there are human passions, and mankind are divided into men and women, and saints and

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

sinners. Of all the books on my list, "Let Not Man Put Asunder" is, narrowing the word to the recognition of the author's intellectual alertness and vividness, the cleverest. The story is of people who constantly talk so wonderfully well beyond the wont even of society people that the utmost skill of the author, who cannot subdue their brilliancy, is needed to make us feel their reality. But he does make us feel this in most cases, the important cases, and in the other cases his power of interesting us is so great that we do not stop to examine the grounds of our sensation, or to question the validity of our emotions. The action, which is positively of to-day, or yesterday at the furthest, passes in Boston and England, among people of such great fortune and high rank and transcendent fashion that the proudest reader cannot complain of their social quality. As to their moral quality, one might have thought the less said the better, if the author had not said so much that is pertinent and impressive. It is from first to last a book with a conscience in it, and its highest appeal is to the conscience. It is so very nearly a great book, so very nearly a true book, that it is with a kind of grief one recognizes its limitations, a kind of surprise at its shortcomings, which, nevertheless, are not shortcomings that impair its supreme effect. This, I take it, is the intimation of a mystical authority in marriage against which divorce sins in vain, which no recreancy can subvert, and by virtue of which it claims eternally its own the lovers united in it; though they seem to become haters, it cannot release them to happiness in a new union through any human law.

If the author had done dramatically (and his doing is mainly dramatic) no more than this, he would have established his right to be taken seriously, but he has done very much more, and has made us acquainted with types and characters which we do not readily forget, and with characters much more real than their ambient. For instance, the Old Cambridge in which the Vassalls live is not the Old Cambridge of fact, but the Vassalls are the Vassalls of fact, though the ancestral halls in which they dwell are of a baroniality difficult of verification. Their honor, their righteousness, their purity are veracious, though their social state is magnified beyond any post-revolutionary experience. The social Boston of the novel is more like; its difference from an older Boston is sensitively felt, and finely suggested, especially on

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

the side of that greater lawlessness in which it is not the greater Boston. Petrina Faneuil, the heroine, is derivatively of the older Boston which has passed away, and actually of the newer Boston which will not be so much regretted when it passes, the fast Boston, the almost rowdy Boston, the decadent Boston. It is, of course, a Boston much worse in the report than in the fact, but it is not unimaginably bad to the student who notes that the lapse from any high ideals is to a level lower than that of people who have never had them. As for Petrina herself, who was in this Boston more than of it, she is so admirably analyzed in the chapter devoted to the task that I am tempted to instance it as the best piece of work in the book, though it does not make one hold one's breath like some of the dramatic episodes: "Whatever religious instinct had been in the family had spent itself at least two generations before her time. She was a pagan—a tolerant, indifferent, slightly scornful pagan. . . . But she was none the less a Puritan. Certain of her ways of thought and habits of life, had survived the beliefs which had given them birth, as an effect will often outlive its cause. If she was a pagan, she was a serious one, a pagan with a New England conscience."

This is mighty well said, and the like things that are said of Petrina's sister-in-law, who has married an English title, are mighty well, too. "She had inherited a countenance whose expression was like the light which lingers in the sky long after sunset—the light of some ancestral fire gone out. If in her face there were prayers, they had been said by Pepperells and Vassalls now sleeping in Massachusetts churchyards. If in her voice there were tears, they had been shed by those who would weep no more. She mirrored the emotions she had never felt; and all that was left of joys and sorrows and spiritual aspirations which had once thrilled human hearts was in that plantive echo they had given to this woman's tone, and the light of petition they had left burning in her eyes."

No one who reads such passages can deny that the author of "Let Not Man Put Asunder" can think subtly as well as say clearly, and the book abounds in proofs of his ability to portray human nature in its lighter aspects. Lady de Bohun, with her pathetic face, is a most amusing creature, with all her tragedy, and she is on the whole the most perfectly characterized personality in the story. The author gives you a real sense of her beauty,

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

her grace, her being always charmingly in a hurry and always late. The greatest scene is hers: the scene in which she meets her divorced husband with his second wife. One may suspect some of the other scenes, but one must accept that scene as one of genuine dramatic worth. Too much of the drama in the book is theatre rather than drama, and yet the author's gift is essentially dramatic. He knows how to tell a story on his stage that holds you to the fall of the curtain, and makes you almost patient of the muted violins and the limelight of the closing scene. Such things, you say, do not happen in Brookline, Mass., whatever happens in London or in English country houses; and yet the people have at one time or other convinced you of their verity. Of the things that are not natural, you feel like saying that they are supernatural rather than unnatural, and you own that at its worst the book is worth while in a time when most novels are not worth while.

W. D. HOWELLS.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED